## Case 17-10165-SLM Doc 1 Filed 01/04/17 Entered 01/04/17 14:49:41 Desc Main Document Page 1 of 28

Fill in this information to identify your case:		
United States Bankruptcy Court for the:		
DISTRICT OF NEW JERSEY		
Case number (if known)	Chapter 11	
		☐ Check if this an amended filing

### Official Form 201

## Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1.	Debtor's name	471 Haworth Avenue, LLC	
2.	All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names	DBA 471 Haworth Ave., LLC	
3.	Debtor's federal Employer Identification Number (EIN)	27-5237138	
4.	Debtor's address	Principal place of business	Mailing address, if different from principal place of business
		471 Haworth Avenue Haworth, NJ 07641	
		Number, Street, City, State & ZIP Code	P.O. Box, Number, Street, City, State & ZIP Code
		Bergen County	Location of principal assets, if different from principal place of business
			Number, Street, City, State & ZIP Code
5.	Debtor's website (URL)		
6.	Type of debtor	■ Corporation (including Limited Liability Compan	y (LLC) and Limited Liability Partnership (LLP))
		☐ Partnership (excluding LLP)	
		☐ Other. Specify:	
		-1 /	

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Debtor	471 Haworth Avenue, LLC	Document	Page 2 of 28 Case number (if known)	
	Name			

7.	Describe debtor's business	A. Check one:  ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))  ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  ☐ Railroad (as defined in 11 U.S.C. § 101(44))  ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))  ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))  ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))  ☐ None of the above						
		B. Check all that apply  ☐ Tax-exempt entity (as described in 26 U.S.C. §501)  ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)  ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))						
					can Industry Classification System urts.gov/four-digit-national-associa		st describes debtor.	
8.	Under which chapter of the Bankruptcy Code is the debtor filing?	Check o	pter 7 pter 9 pter 11. <i>Che</i>	ck €	are less than \$2,566,050 (amour The debtor is a small business d business debtor, attach the most statement, and federal income ta procedure in 11 U.S.C. § 1116(1) A plan is being filed with this peti Acceptances of the plan were so accordance with 11 U.S.C. § 112 The debtor is required to file peri Exchange Commission accordinattachment to Voluntary Petition (Official Form 201A) with this form	nt subject to adjustment subject to adjustment to a defined in 1: recent balance sheet at return or if all of the (B).  Ition.  Ilicited prepetition from (6(b)).  Odic reports (for example 13 or 15(d) of the for Non-Individuals Firm.	xcluding debts owed to insiders or affilia ent on 4/01/19 and every 3 years after that U.S.C. § 101(51D). If the debtor is a sret, statement of operations, cash-flow ese documents do not exist, follow the end on the end of the common or more classes of creditors, in emple, 10K and 10Q) with the Securities at the Securities Exchange Act of 1934. File in Filling for Bankruptcy under Chapter 11 rities Exchange Act of 1934 Rule 12b-2.	aat). mall
9.	Were prior bankruptcy cases filed by or against the debtor within the last 8 years?	■ No.						
	If more than 2 cases, attach a separate list.		District		When		Case number	
			District		When		Case number	
10.	Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?	■ No □ Yes.						
	List all cases. If more than 1, attach a separate list		Debtor				Relationship	
			District		When		Case number, if known	

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Page 3 of 28 Case number (if known) Document Debtor 471 Haworth Avenue, LLC Name 11. Why is the case filed in Check all that apply: this district? Debtor has had its domicile, 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. A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district. 12. Does the debtor own or ■ No have possession of any Answer below for each property that needs immediate attention. Attach additional sheets if needed. real property or personal ☐ Yes. property that needs immediate attention? Why does the property need immediate attention? (Check all that apply.) ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety. What is the hazard? ☐ It needs to be physically secured or protected from the weather. ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options). ☐ Other Where is the property? Number, Street, City, State & ZIP Code Is the property insured? ☐ No ☐ Yes. Insurance agency Contact name Phone Statistical and administrative information 13. Debtor's estimation of Check one: available funds Funds will be available for distribution to unsecured creditors. ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors. 14. Estimated number of **1**,000-5,000 **1** 25,001-50,000 1-49 creditors **5001-10,000 5**0,001-100,000 **50-99 1**0,001-25,000 ☐ More than 100,000 **1**00-199 **200-999** 

### 15. Estimated Assets

**\$0 - \$50,000** □ \$50,001 - \$100,000 **\$100,001 - \$500,000** 

□ \$500,001 - \$1 million

#### 16. Estimated liabilities **\$0 - \$50,000**

□ \$50,001 - \$100,000 □ \$100,001 - \$500,000 □ \$500,001 - \$1 million

## ■ \$1,000,001 - \$10 million

□ \$10.000.001 - \$50 million

□ \$50,000,001 - \$100 million □ \$100,000,001 - \$500 million □ \$500,000,001 - \$1 billion □ \$1,000,000,001 - \$10 billion □ \$10,000,000,001 - \$50 billion

## ☐ More than \$50 billion

## ■ \$1,000,001 - \$10 million

□ \$10,000,001 - \$50 million □ \$50,000,001 - \$100 million □ \$100,000,001 - \$500 million □ \$500,000,001 - \$1 billion □ \$1,000,000,001 - \$10 billion □ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

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Debtor

471 Haworth Avenue, LLC Name

Request	for Relief,	Declaration,	and	<b>Signatures</b>

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17.	<b>Declaration and signature</b>
	of authorized
	representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is trued and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 30, 2016 MM / DD / YYYY

X	/ /s/ Richard Rotonde		Richard Rotonde	
	Signature of authorized representati	ve of debtor	Printed name	
	Title Member			

### 18. Signature of attorney

X	/s/ Justin M. C	Sillman, Esq.		Date	December 30, 2016	
	Signature of atto	rney for debtor			MM / DD / YYYY	
	Justin M. Gilli	man, Esq.				
	Printed name					
	Gillman & Gill	man				
	Firm name					
	770 Amboy A	venue				
	Edison, NJ 08	837				
	Number, Street,	City, State & ZIP Code				
	Contact phone	732-661-1664	Email address	abgillman	@optonline.net	

8291 Bar number and State

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Fill in this information to identify the case:	
Debtor name 471 Haworth Avenue, LLC	
United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY	
Case number (if known)	☐ Check if this is an amended filing

### Official Form 202

## **Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

## Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets-Real and Personal Property (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)
- Schedule H: Codebtors (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)
- ☐ Amended Schedule
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204)
- ☐ Other document that requires a declaration

declare under	 	. 414 41	f:::	_ 4	

i deciare under	declare under perially or perjury that the loregoing is true and correct.						
Executed on	December 30, 2016	X /s/ Richard Rotonde					
		Signature of individual signing on behalf of debtor					
		Richard Rotonde					
		Printed name					

### Member

Position or relationship to debtor

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors** 

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Fill in this information to identify the case:	
Debtor name 471 Haworth Avenue, LLC	
United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY	☐ Check if this is an
Case number (if known):	amended filing

### Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	it, If the claim is fully unsecured, fill in only unsecured claim amour		nt and deduction for
	and government contracts)		Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
-NONE-					

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Fill in this information to identify the c	ase:	
Debtor name 471 Haworth Avenue	e, LLC	
United States Bankruptcy Court for the:	DISTRICT OF NEW JERSEY	
Case number (if known)		Check if this is an amended filing

### Official Form 206Sum

## **Summary of Assets and Liabilities for Non-Individuals**

12/15

-	minary or 7.000to and Elabilities for Non marriadals		12/10
Par	Summary of Assets		
1.	Schedule A/B: Assets-Real and Personal Property (Official Form 206A/B)		
	1a. <b>Real property:</b> Copy line 88 from <i>Schedule A/B.</i>	\$	2,100,000.00
	1b. <b>Total personal property:</b> Copy line 91A from <i>Schedule A/B</i>	\$_	0.00
	1c. <b>Total of all property:</b> Copy line 92 from <i>Schedule A/B</i>	\$	2,100,000.00
Par	t 2: Summary of Liabilities		
2.	Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)  Copy the total dollar amount listed in Column A, Amount of claim, from line 3 of Schedule D	\$	1,462,760.87
3.	Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)		
	3a. Total claim amounts of priority unsecured claims:  Copy the total claims from Part 1 from line 5a of Schedule E/F	\$_	0.00
	<b>3b. Total amount of claims of nonpriority amount of unsecured claims:</b> Copy the total of the amount of claims from Part 2 from line 5b of <i>Schedule E/F</i>	+\$_	0.00
4.	Total liabilities Lines 2 + 3a + 3b	\$	1,462,760.87

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Fill in this information to identify the case:	
Debtor name 471 Haworth Avenue, LLC	
United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY	
Case number (if known)	
Case Humber (il known)	☐ Check if this is an amended filing
Official Form 206A/B	
	.,
Schedule A/B: Assets - Real and Personal Property	
Disclose all property, real and personal, which the debtor owns or in which the debtor has any other include all property in which the debtor holds rights and powers exercisable for the debtor's own be which have no book value, such as fully depreciated assets or assets that were not capitalized. In Scorn unexpired leases. Also list them on Schedule G: Executory Contracts and Unexpired Leases (Office the contracts)	nefit. Also include assets and properties hedule A/B, list any executory contracts
Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this for the debtor's name and case number (if known). Also identify the form and line number to which the additional sheet is attached, include the amounts from the attachment in the total for the pertinent pa	additional information applies. If an
For Part 1 through Part 11, list each asset under the appropriate category or attach separate suppor schedule or depreciation schedule, that gives the details for each asset in a particular category. List debtor's interest, do not deduct the value of secured claims. See the instructions to understand the	each asset only once. In valuing the
Part 1: Cash and cash equivalents	
1. Does the debtor have any cash or cash equivalents?	
■ No. Go to Part 2.	
☐ Yes Fill in the information below.  All cash or cash equivalents owned or controlled by the debtor	Current value of
All cash of cash equivalents owned of controlled by the deptor	debtor's interest
Part 2: Deposits and Prepayments	
6. Does the debtor have any deposits or prepayments?	
■ No. Go to Part 3.	
Yes Fill in the information below.	
Part 3: Accounts receivable	
10. Does the debtor have any accounts receivable?	
■ No. Go to Part 4.	
Yes Fill in the information below.	
Part 4: Investments	
13. Does the debtor own any investments?	
■ No. Go to Part 5.	
☐ Yes Fill in the information below.	
Part 5: Inventory, excluding agriculture assets	
18. Does the debtor own any inventory (excluding agriculture assets)?	
■ No. Go to Part 6.	
☐ Yes Fill in the information below.	

Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)

27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

No. Go to Part 7.

Entered 01/04/17 14:49:41 Desc Main Filed 01/04/17 Case 17-10165-SLM Doc 1 Page 9 of 28 Document Debtor 471 Haworth Avenue, LLC Case number (If known) Name ☐ Yes Fill in the information below. Office furniture, fixtures, and equipment; and collectibles 38. Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles? No. Go to Part 8. ☐ Yes Fill in the information below. Machinery, equipment, and vehicles 46. Does the debtor own or lease any machinery, equipment, or vehicles? ■ No. Go to Part 9. ☐ Yes Fill in the information below. Real property Part 9: 54. Does the debtor own or lease any real property? ☐ No. Go to Part 10. Yes Fill in the information below. 55. Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest **Description and location of** Nature and Net book value of Valuation method used Current value of property extent of debtor's interest for current value debtor's interest Include street address or other debtor's interest (Where available) description such as Assessor in property Parcel Number (APN), and type of property (for example, acreage, factory, warehouse, apartment or office building, if available. 55.1. Residential Property, 471 Haworth Avenue, \$0.00 \$2,100,000.00 Haworth, NJ 07641 56. Total of Part 9. \$2,100,000.00 Add the current value on lines 55.1 through 55.6 and entries from any additional sheets. Copy the total to line 88. 57. Is a depreciation schedule available for any of the property listed in Part 9? ■ No ☐ Yes 58. Has any of the property listed in Part 9 been appraised by a professional within the last year? ■ No ☐ Yes

Part 10: Intangibles and intellectual property

59. Does the debtor have any interests in intangibles or intellectual property?

■ No. Go to Part 11.

☐ Yes Fill in the information below.

Part 11: All other assets

70. Does the debtor own any other assets that have not yet been reported on this form?

Include all interests in executory contracts and unexpired leases not previously reported on this form.

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Debtor	471 Haworth Avenue, LLC	Case number (If known)	
	Name		

■ No. Go to Part 12.

☐ Yes Fill in the information below.

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Debtor 471 Haworth Avenue, LLC Case number (If known)

Part 12: Summary

Current value of personal property	Current value of real property
\$0.00	
\$0.00	
\$0.00	
\$0.00	
\$0.00	
\$0.00	
\$0.00	
\$0.00	
>	\$2,100,000.00
\$0.00	
+\$0.00	
\$0.00 +	91b. <b>\$2,100,000.00</b>
	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00

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		Document Page 12 of 28		
Fill ir	n this information to identify the o	case:		
Debte	or name _471 Haworth Avenu	e, LLC		
Unite	d States Bankruptcy Court for the:	DISTRICT OF NEW JERSEY		
Case	number (if known)		_	Check if this is an amended filing
Ott:√	oial Form 206D			
	cial Form 206D	Mha Haya Claima Caaymad by Du		
SCr	neaule D: Creditors	Who Have Claims Secured by Pr	орегту	12/15
	complete and accurate as possible.	dobtor's proporty?		
_	any creditors have claims secured by No. Check this box and submit no	age 1 of this form to the court with debtor's other schedules.	Debtor has nothing else to	report on this form
_	Yes. Fill in all of the information b		Debior has nothing else to	report on this form.
Part			Column A	Column B
	list the creditor separately for each clair	no have secured claims. If a creditor has more than one secured n.	Amount of claim	Value of collateral
			Do not deduct the value	that supports this claim
2.1	Bank of New Jersey	Describe debtor's property that is subject to a lien	of collateral. \$777,760.87	\$2,100,000.00
2.1	Creditor's Name	Residential Property, 471 Haworth Avenue,	<u> </u>	Ψ2,100,000.00
	1365 Palisade Ave Fort Lee, NJ 07024	Haworth, NJ 07641		
-	Creditor's mailing address	Describe the lien		
		Is the creditor an insider or related party?		
		■ No		
-	Creditor's email address, if known	☐ Yes		
	Date daht was insured	Is anyone else liable on this claim?		
	Date debt was incurred	□ No		
	Last 4 digits of account number 1971	■ Yes. Fill out Schedule H: Codebtors (Official Form 206H)		
	Do multiple creditors have an	As of the petition filing date, the claim is: Check all that apply		
	interest in the same property?  ☐ No	☐ Contingent		
	Yes. Specify each creditor,	Unliquidated		
	including this creditor and its relative	☐ Disputed		
	priority.  1. Bank of New Jersey			
	2. M&T Bank			
2.2	M&T Bank	Describe debtor's property that is subject to a lien	\$685,000.00	\$2,100,000.00
	Creditor's Name	Residential Property, 471 Haworth Avenue,		
	1 Fountain Plaza Buffalo, NY 14203	Haworth, NJ 07641		
_	Creditor's mailing address	Describe the lien		
		Is the creditor an insider or related party?		
_		No		
	Creditor's email address, if known	☐ Yes Is anyone else liable on this claim?		
	Date debt was incurred	Is anyone eise liable on this claim?  ☐ No		
		Yes. Fill out Schedule H: Codebtors (Official Form 206H)		
	Last 4 digits of account number	. 33 33. 33. 33. 34. 35. 33. (31.00.1 31.1 2001)		
_	6043	As of the netition filing date, the claim is:		
	Do multiple creditors have an interest in the same property?	As of the petition filing date, the claim is:		

Official Form 206D

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Debtor	T 471 Haworth Avenue, LLC Ca		ase number (if know)		
	Name				
	l <sub>No</sub>	☐ Contingent			
	Yes. Specify each creditor,	☐ Unliquidated			
ine	cluding this creditor and its relative	☐ Disputed			
	iority. pecified on line 2.1				
o Tota	al of the dollar amounts from Part 1	Column A, including the amounts from the Additiona	\$1,462,760.8		
3. Tota	al of the dollar allibunts from Fart 1,	Column A, including the amounts from the Additiona	Trage, ii aliy.		
Part 2:	List Others to Be Notified for a	a Debt Already Listed in Part 1			
	Iphabetical order any others who mu es of claims listed above, and attorn	ust be notified for a debt already listed in Part 1. Exar eys for secured creditors.	nples of entities that may be listed are	e collection agencies,	
If no oth	ners need to notified for the debts lis	ted in Part 1, do not fill out or submit this page. If add	ditional pages are needed, copy this p	page.	
N	lame and address		On which line in Part 1 did you enter the related creditor?	Last 4 digits of account number for this entity	
	Bergen County Sheriff's Offic	e	0.4	-	
-	0 Main Street		Line <u>2.1</u>		
ŀ	łackensack, NJ 07601				
	lorgaard O'Boyle				
	84 Grand Avenue		Line <b>2.1</b>		
E	Englewood, NJ 07631				

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Doci	ment Page 14 of 28	7.45.41 BC30 Maii
Fill in this information to identify the case:		
Debtor name 471 Haworth Avenue, LLC		
Likited Older Backward Court (author DICTRICT OF NEW	LIEDOEV	
United States Bankruptcy Court for the: DISTRICT OF NEW	JERSEY	
Case number (if known)		_ 0, , , , , ,
		☐ Check if this is an amended filing
Official Form 206E/F		
Schedule E/F: Creditors Who Hav	e Unsecured Claims	12/15
Be as complete and accurate as possible. Use Part 1 for creditors was the other party to any executory contracts or unexpired leases Personal Property (Official Form 206A/B) and on Schedule G: Exect in the boxes on the left. If more space is needed for Part 1 or Part	that could result in a claim. Also list executory contrutory Contracts and Unexpired Leases (Official Form	racts on Schedule A/B: Assets - Real and 206G). Number the entries in Parts 1 and
Part 1: List All Creditors with PRIORITY Unsecured Cla	ims	
1. Do any creditors have priority unsecured claims? (See 11 L	J.S.C. § 507).	
■ No. Go to Part 2.		
Yes. Go to line 2.		
_ 166. 66 to line 2.		
Part 2: List All Creditors with NONPRIORITY Unsecured		
<ol> <li>List in alphabetical order all of the creditors with nonprior out and attach the Additional Page of Part 2.</li> </ol>	rity unsecured claims. If the debtor has more than 6 cre	ditors with nonpriority unsecured claims, fill
3.1 Nonpriority creditor's name and mailing address	As of the petition filing date, the claim is: Check a	II that apply.
	☐ Contingent ☐ Unliquidated	
Date or dates debt was incurred	☐ Disputed	
Last 4 digits of account number	Basis for the claim:	
	Is the claim subject to offset? ☐ No ☐ Yes	
Part 3: List Others to Be Notified About Unsecured Clai	ims	
<ol> <li>List in alphabetical order any others who must be notified for cla assignees of claims listed above, and attorneys for unsecured creditor</li> </ol>		ay be listed are collection agencies,
If no others need to be notified for the debts listed in Parts 1 and	d 2, do not fill out or submit this page. If additional pa	iges are needed, copy the next page.
Name and mailing address	On which line in Part1 or P related creditor (if any) liste	art 2 is the Last 4 digits of account number, if any
Part 4: Total Amounts of the Priority and Nonpriority U	nsecured Claims	
5. Add the amounts of priority and nonpriority unsecured claims.		
, , ,		im amounts
5a. Total claims from Part 1 5b. Total claims from Part 2	5a. \$ 5b. <b>+</b> \$	0.00
JD. Total claims HOM Fait 2	5b. <b>+</b> \$	0.00
5c. Total of Parts 1 and 2	5c. \$	0.00

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Fill in t	his information to identify the case:				
Debtor	name 471 Haworth Avenue, LL	.c			
United	States Bankruptcy Court for the: DIS	TRICT OF NEW JERSEY			
Case n	umber (if known)				ck if this is an nded filing
Offic	ial Form 206G				
Sch	edule G: Executory C	Contracts and L	Inexpired Leases		12/15
1. <b>Do</b> □ ■ (Official	es the debtor have any executory co No. Check this box and file this form w Yes. Fill in all of the information below Form 206A/B).	ontracts or unexpired leas ith the debtor's other sched even if the contacts of lease	ules. There is nothing else to report on t es are listed on <i>Schedule A/B: Assets - F</i>	his form. Real and Persona	al Property
2. List	all contracts and unexpired lea	ses	State the name and mailing add whom the debtor has an execute lease		•
2.1.	State what the contract or lease is for and the nature of the debtor's interest	Listing Agreement for Sale of Real Estate			
	State the term remaining  List the contract number of any	8/2/2016 - 2/5/2017	Teri O'Connor Realtors - Sa 75 E. Allendale Road Saddle River, NJ 07458	ddle River	

Case 17-10165-SLM Doc 1 Filed 01/04/17 Entered 01/04/17 14:49:41 Desc Main Page 16 of 28 Document Fill in this information to identify the case: Debtor name 471 Haworth Avenue, LLC United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY Case number (if known) ☐ Check if this is an amended filing Official Form 206H **Schedule H: Your Codebtors** 12/15 Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page. 1. Do you have any codebtors? □ No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form. Yes 2. In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, Schedules D-G. Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2. Column 1: Codebtor Column 2: Creditor Name **Mailing Address** Name Check all schedules that apply: 2.1 **Richard Rotonde** 471 Haworth Avenue **Bank of New Jersey** ■ D **2.1** Haworth, NJ 07641 □ E/F \_\_\_\_\_ □G 2.2 **Richard Rotonde 471 Haworth Avenue** M&T Bank ■ D 2.2 Haworth, NJ 07641 □ E/F \_\_\_\_ □ G \_\_\_\_

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2.3

2.4

Sarah Manus

Sarah Manus

Rotonde

Rotonde

417 Haworth Ave.

417 Haworth Ave.

Haworth, NJ 07641

Haworth, NJ 07641

Schedule H: Your Codebtors

**Bank of New Jersey** 

**M&T Bank** 

■ D **2.1** 

□ E/F \_\_\_\_ □ G

■ D **2.2** 

□ E/F \_\_\_\_ □ G \_\_\_\_

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Fill	in this	s information to identify the case:				
De	btor na	me 471 Haworth Avenue, LLC				
Un	ited Sta	ates Bankruptcy Court for the: DISTRICT OF NE	W JERSEY			
Са	se num	ber (if known)				Check if this is an amended filing
		ıl Form 207 nent of Financial Affairs for N	lon-Individ	uals Filing for Ban	kruptcy	04/16
		r must answer every question. If more space is debtor's name and case number (if known).	needed, attach a	separate sheet to this form.	On the top of	any additional pages,
		Income				
		revenue from business				
	■ No	nne				
	Iden	tify the beginning and ending dates of the debt h may be a calendar year	or's fiscal year,	Sources of revenue Check all that apply		Gross revenue (before deductions and exclusions)
	Include	usiness revenue e revenue regardless of whether that revenue is tax alties. List each source and the gross revenue for				,
	■ No	one.				
				Description of sources of	revenue	Gross revenue from each source (before deductions and exclusions)
Pa	rt 2:	List Certain Transfers Made Before Filing for I	Bankruptcy			,
	List pay	n payments or transfers to creditors within 90 or grants or transfersincluding expense reimburser is case unless the aggregate value of all property ery 3 years after that with respect to cases filed on one.	mentsto any credit transferred to that o	tor, other than regular employed creditor is less than \$6,425. (Th		
	Cred	litor's Name and Address	Dates	Total amount of value	Reasons fo Check all the	r payment or transfer
	3.1.	M&T Bank 1 Fountain Plaza Buffalo, NY 14203	10/2016	\$7,138.00	■ Secured	debt ed loan repayments
	3.2.	Bank of New Jersey 1365 Palisade Ave Fort Lee, NJ 07024	10/1/16, 11/1/16	\$6,000.00	■ Secured □ Unsecure □ Suppliers □ Services □ Other	ed loan repayments

4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider
List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed

Case 17-10165-SLM Doc 1 Filed 01/04/17 Entered 01/04/17 14:49:41 Desc Main Document Page 18 of 28 se number (if known) Debtor 471 Haworth Avenue, LLC or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. Insiders include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31). ■ None. Insider's name and address Total amount of value Reasons for payment or transfer **Dates** Relationship to debtor 5. Repossessions, foreclosures, and returns List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6. None Creditor's name and address Describe of the Property **Date** Value of property Setoffs List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a ■ None Creditor's name and address Description of the action creditor took Date action was Amount taken Part 3: Legal Actions or Assignments 7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case. ■ None. Case title Nature of case Court or agency's name and Status of case Case number address 7.1. Bank of NJ v. 471 Haworth **Foreclosure Bergen County Chancery** □ Pending Ave. Rotonde Court □ On appeal F-39931-14 ☐ Concluded 8. Assignments and receivership List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case. None Part 4: Certain Gifts and Charitable Contributions List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000 ■ None Recipient's name and address Description of the gifts or contributions Value Dates given Part 5: Certain Losses

Official Form 207

None

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

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Debtor 471 Haworth Avenue, LLC

> **Dates of loss** Description of the property lost and Amount of payments received for the loss Value of property how the loss occurred lost If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received. List unpaid claims on Official Form 106A/B (Schedule A/B: Assets - Real and Personal Property).

### Part 6: Certain Payments or Transfers

#### 11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring, seeking bankruptcy relief, or filing a bankruptcy case.

☐ None.

Who was paid or who received the transfer? **Address** 

If not money, describe any property transferred

**Dates** 

Total amount or value

11.1. Gillman & Gillman 770 Amboy Avenue Edison, NJ 08837

**Attorney Fees** 

\$7,000.00

**Email or website address** abgillman@optonline.net

Who made the payment, if not debtor? **Richard Rotonde** 

### 12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.

Do not include transfers already listed on this statement.

None.

Name of trust or device

Describe any property transferred

Dates transfers were made

Total amount or value

#### 13. Transfers not already listed on this statement

List any transfers of money or other property by sale, trade, or any other means made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

None.

Who received transfer? Address

Description of property transferred or payments received or debts paid in exchange Date transfer was made

Total amount or value

### Part 7: Previous Locations

#### 14. Previous addresses

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

Does not apply

Address Dates of occupancy From-To

### Part 8: Health Care Bankruptcies

### 15. Health Care bankruptcies

Is the debtor primarily engaged in offering services and facilities for:

- diagnosing or treating injury, deformity, or disease, or

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

Page 20 of 28 Document ase number (if known) Debtor 471 Haworth Avenue, LLC - providing any surgical, psychiatric, drug treatment, or obstetric care? No. Go to Part 9. Yes. Fill in the information below. Facility name and address Nature of the business operation, including type of services If debtor provides meals the debtor provides and housing, number of patients in debtor's care Part 9: Personally Identifiable Information 16. Does the debtor collect and retain personally identifiable information of customers? No. Yes. State the nature of the information collected and retained. 17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit? No. Go to Part 10. Yes. Does the debtor serve as plan administrator? Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units 18. Closed financial accounts Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved, or transferred? Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions. None Financial Institution name and Last 4 digits of Type of account or Date account was Last balance Address account number closed, sold, before closing or instrument moved, or transfer transferred Safe deposit boxes List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case. None Depository institution name and address Names of anyone with Description of the contents Do you still access to it have it? **Address** 20. Off-premises storage List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business. None Names of anyone with Do you still Facility name and address Description of the contents access to it have it? Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own 21. Property held for another List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do

None

Official Form 207

not list leased or rented property.

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Debtor 471 Haworth Avenue, LLC

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For the purpose of Part 12, the following definitions apply:

Environmental law means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).

Site means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly

	owned, operated, or diffized.							
	Hazardous material means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.							
Rep	ort all no	tices, releases, and proceedings	known, regardless of when they occur	ed.				
22.	Has the	debtor been a party in any judici	al or administrative proceeding under a	ny environmental la	aw? Include settlen	nents and orders.		
	■ No.	s. Provide details below.						
	Case tit		Court or agency name and address	Nature of the cas	se	Status of case		
	23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?							
	■ No. □ Yes	s. Provide details below.						
	Site nai	me and address	Governmental unit name and address	Environment	al law, if known	Date of notice		
24. I	las the d	ebtor notified any governmental	unit of any release of hazardous materi	al?				
	■ No.	s. Provide details below.						
	Site na	me and address	Governmental unit name and address	Environment	al law, if known	Date of notice		
Par	t 13: De	etails About the Debtor's Busine	ss or Connections to Any Business					
- 1	_ist any b	sinesses in which the debtor has usiness for which the debtor was a is information even if already listed	n owner, partner, member, or otherwise a p	person in control with	in 6 years before filli	ng this case.		
	■ None							
E	Business	name address	Describe the nature of the business		entification number Social Security number			
				Dates busine	ess existed			
26. <b>Books, records, and financial statements</b> 26a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.  □ None								
	Name and address					e of service n-To		
	26a.1.	Amato Toscano & Co 411 Hackensack Ave., #10 Hackensack, NJ 07601			201	0 - Present		

<sup>26</sup>b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

Debtor	Case 17-10165-SLM		Filed 01/04/17 Document P	' Entere Page 22 of			Desc	Main
		<u> </u>				· /		
	■ None							
26c	. List all firms or individuals who we	ere in posse	ession of the debtor's boo	ks of account a	and records	when this case is file	ed.	
	■ None							
N	ame and address				If any bo	ooks of account an	d rocards	aro
N	aille ailu auuless					ble, explain why	u recorus	ale
26d	. List all financial institutions, credit statement within 2 years before fi			cantile and trad	de agencies,	to whom the debtor	issued a	financial
	None							
N	ame and address							
	entories ve any inventories of the debtor's pi	roperty bee	n taken within 2 years bef	fore filing this o	ase?			
	No							
	Yes. Give the details about the t	wo most re	cent inventories.					
	Name of the person who su inventory	pervised th	ne taking of the	Date of inve		he dollar amount a r other basis) of ea		
	the debtor's officers, directors, control of the debtor at the time of			ners, members	s in control	, controlling sharel	nolders, o	or other people
N	ame	Address			Position ar	nd nature of any		% of interest, if any
R								50%
N	ame	Address				nd nature of any		% of interest, if
s	arah Manus Rotonde		worth Ave. h, NJ 07641		interest Sharehole	der		any 50%
	hin 1 year before the filing of this strol of the debtor, or shareholde No Yes. Identify below.						rtners, m	embers in
	,							
30. Payments, distributions, or withdrawals credited or given to insiders  Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonus loans, credits on loans, stock redemptions, and options exercised?					łraws, bonuses,			
	No Yes. Identify below.							
	Name and address of recipie		Amount of money or dependently	scription and	value of	Dates		on for iding the value
31. <b>Wit</b>	hin 6 years before filing this case No	e, has the o	debtor been a member o	of any consoli	dated group	o for tax purposes?	,	
_	Yes. Identify below.							

Page 23 of 28 Document Debtor ase number (if known) 471 Haworth Avenue, LLC Name of the parent corporation Employer Identification number of the parent corporation 32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund? ☐ Yes. Identify below. Name of the parent corporation Employer Identification number of the parent corporation Part 14: Signature and Declaration WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571. I have examined the information in this Statement of Financial Affairs and any attachments and have a reasonable belief that the information is true and correct. I declare under penalty of perjury that the foregoing is true and correct. Executed on December 30, 2016 /s/ Richard Rotonde **Richard Rotonde** Signature of individual signing on behalf of the debtor Printed name Position or relationship to debtor Member Are additional pages to Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy (Official Form 207) attached?

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■ No ☐ Yes Case 17-10165-SLM

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B2030 (Form 2030) (12/15)

## United States Bankruptcy Court District of New Jersey

In re	e 471 Haworth Avenue, LLC		Case No.				
		Debtor(s)	Chapter	11	_		
	DISCLOSURE OF COM	MPENSATION OF ATTOR	NEY FOR DI	EBTOR(S)			
	Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P compensation paid to me within one year before the rendered on behalf of the debtor(s) in contempts	he filing of the petition in bankruptcy, of	or agreed to be paid	to me, for services rendered or to			
	For legal services, I have agreed to accept		\$	7,000.00			
	Prior to the filing of this statement I have rec	eived	\$	7,000.00			
	Balance Due		\$	0.00			
2.	The source of the compensation paid to me was:						
	■ Debtor □ Other (specify):						
3.	The source of compensation to be paid to me is:						
	■ Debtor □ Other (specify):						
4.	■ I have not agreed to share the above-disclosed	I compensation with any other person u	nless they are mem	abers and associates of my law firm	ı.		
	☐ I have agreed to share the above-disclosed concopy of the agreement, together with a list of						
5.	In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:						
	<ul><li>a. Analysis of the debtor's financial situation, and</li><li>b. Preparation and filing of any petition, schedule</li><li>c. Representation of the debtor at the meeting of</li><li>d. [Other provisions as needed]</li></ul>	es, statement of affairs and plan which	may be required;				
6.	By agreement with the debtor(s), the above-disclo	osed fee does not include the following	service:				
		CERTIFICATION			-		
	I certify that the foregoing is a complete statemen pankruptcy proceeding.	t of any agreement or arrangement for p	payment to me for 1	representation of the debtor(s) in			
С	December 30, 2016	/s/ Justin M. Gillm					
L	Date Control of the C	Justin M. Gillman, Signature of Attorney					
		Gillman & Gillman					
		770 Amboy Avenu Edison, NJ 08837	е				
		732-661-1664 Fax					
		abgillman@opton	line.net				
		Name of law firm					

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### United States Bankruptcy Court District of New Jersey

In re	471 Haworth Avenue, LLC			Case No.	
		I	Debtor(s)	Chapter	11
Followii	LIST  ng is the list of the Debtor's equity security ho		ECURITY HOLDERS red in accordance with rule 1		or filing in this Chapter 11 Case
	and last known address or place of ess of holder	Security Class	Number of Securities	K	Lind of Interest
471 Ha	rd Rotonde aworth Ave. rth, NJ 07641	Member		5	0%
471 Ha	Manus Rotonde aworth Ave. rth, NJ 07641	Member		5	0%

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Member** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date	December 30, 2016	Signature	/s/ Richard Rotonde
		_	Richard Rotonde

Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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

In re	471 Haworth Avenue, LLC		Case No.	
		Debtor(s)	Chapter	11
	VERI	FICATION OF CREDITOR	MATRIX	
I, the M	Iember of the corporation named as	the debtor in this case, hereby verify that th	ne attached list of	creditors is true and correct to
the best	t of my knowledge.			
Date:	December 30, 2016	/s/ Richard Rotonde		
		Richard Rotonde/Member		
		Signer/Title		

Bank of New Jersey 1365 Palisade Ave Fort Lee, NJ 07024

Bergen County Sheriff's Office 10 Main Street Hackensack, NJ 07601

M&T Bank 1 Fountain Plaza Buffalo, NY 14203

Norgaard O'Boyle 184 Grand Avenue Englewood, NJ 07631

Richard Rotonde 471 Haworth Avenue Haworth, NJ 07641

Sarah Manus Rotonde 417 Haworth Ave. Haworth, NJ 07641

Teri O'Connor Realtors - Saddle River 75 E. Allendale Road Saddle River, NJ 07458

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

In re	471 Haworth Avenue, LLC		Case No.	
		Debtor(s)	Chapter	11
	CORPORA	TE OWNERSHIP STATEMENT (F	RULE 7007.1)	
recusa follow	al, the undersigned counsel for 471 ving is a (are) corporation(s), other t	Procedure 7007.1 and to enable the Jud 1 Haworth Avenue, LLC in the above of than the debtor or a governmental unit, equity interests, or states that there are	captioned action that directly o	n, certifies that the or indirectly own(s) 10% or
■ Nor	ne [ <i>Check if applicable</i> ]			
Decer	mber 30, 2016	/s/ Justin M. Gillman, Esq.		
Date		Justin M. Gillman, Esq.		
		Signature of Attorney or Litigan Counsel for 471 Haworth Aven		
		Gillman & Gillman	ide, LLO	
		770 Amboy Avenue		
		Edison, NJ 08837		
		732-661-1664 Fax:732-661-1707 abgillman@optonline.net		