

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

**STATEMENT PURSUANT TO LOCAL
BANKRUPTCY RULE 1073-2(b)**

DEBTOR(S): NISTHAUZ GROUP, INC. **CASE NO.:** _____

Pursuant to Local Bankruptcy Rule 1073-2(b), the debtor (*or any other petitioner*) hereby makes the following disclosure concerning Related Cases, to the petitioner's best knowledge, information and belief:

[NOTE: Cases shall be deemed "Related Cases" for purposes of E.D.N.Y. LBR 1073-1 and E.D.N.Y. LBR 1073-2 if the earlier case was pending at any time within six years before the filing of the new petition, and the debtors in such cases: (i) are the same; (ii) are spouses or ex-spouses; (iii) are affiliates, as defined in 11 U.S.C. § 101(2); (iv) are general partners in the same partnership; (v) are a partnership and one or more of its general partners; (vi) are partnerships which share one or more common general partners; or (vii) have, or within 180 days of the commencement of either of the Related Cases had, an interest in property that was or is included in the property of another estate under 11 U.S.C. § 541(a).]

☒ NO RELATED CASE IS PENDING OR HAS BEEN PENDING AT ANY TIME.

☐ THE FOLLOWING RELATED CASE(S) IS PENDING OR HAS BEEN PENDING:

1. CASE NO.: _____ JUDGE: _____ DISTRICT/DIVISION: _____

CASE STILL PENDING (Y/N): _____ [If closed] Date of closing: _____

CURRENT STATUS OF RELATED CASE: _____
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

2. CASE NO.: _____ JUDGE: _____ DISTRICT/DIVISION: _____

CASE STILL PENDING (Y/N): _____ [If closed] Date of closing: _____

CURRENT STATUS OF RELATED CASE: _____
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

(OVER)

DISCLOSURE OF RELATED CASES (cont'd)

3. CASE NO.: _____ **JUDGE:** _____ **DISTRICT/DIVISION:** _____

CASE STILL PENDING (Y/N): _____ **[If closed] Date of closing:** _____

CURRENT STATUS OF RELATED CASE: _____
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (Refer to NOTE above): _____

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN SCHEDULE "A" OF RELATED CASE: _____

NOTE: Pursuant to 11 U.S.C. § 109(g), certain individuals who have had prior cases dismissed within the preceding 180 days may not be eligible to be debtors. Such an individual will be required to file a statement in support of his/her eligibility to file.

TO BE COMPLETED BY DEBTOR/PETITIONER'S ATTORNEY, AS APPLICABLE:

I am admitted to practice in the Eastern District of New York (Y/N): _____

CERTIFICATION (to be signed by pro se debtor/petitioner or debtor/petitioner's attorney, as applicable):

I certify under penalty of perjury that the within bankruptcy case is not related to any case now pending or pending at any time, except as indicated elsewhere on this form.

/s/ JONATHAN S. PASTERNAK, ESQ.
Signature of Debtor's Attorney
JONATHAN S. PASTERNAK, ESQ.

/s/ Jorge Nisthauz
NISTHAUZ GROUP, INC.
40-23 99TH STREET
Mailing Address of Debtor/Petitioner

City, State, Zip Code

Area Code and Telephone Number

Failure to fully and truthfully provide all information required by the E.D.N.Y. LBR 1073-2 Statement may subject the debtor or any other petitioner and their attorney to appropriate sanctions, including without limitation conversion, the appointment of a trustee or the dismissal of the case with prejudice.

NOTE: Any change in address must be reported to the Court immediately IN WRITING. Dismissal of your petition may otherwise result.

Voluntary Petition

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

Name of Debtor(s):

**NISTHAUZ GROUP, INC.,
a Corporation****All Prior Bankruptcy Cases Filed Within Last 8 Years**

(If more than two, attach 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 more than one, attach additional sheet)

Name of Debtor:

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**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I 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).

X5/ 9/2007

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 part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.**Information Regarding the Debtor - Venue**

(Check any applicable box)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action 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.**Statement by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes.)

☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)_____
(Name of landlord that obtained judgment)_____
(Address of landlord)☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and☐ Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Voluntary Petition

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

Name of Debtor(s):

**NISTHAUZ GROUP, INC.,
a Corporation****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.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (if not represented by attorney)

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ 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.**X**

(Signature of Foreign Representative)

(Printed name of Foreign Representative)

5/ 9/2007

(Date)

Signature of Attorney**X /s/ JONATHAN S. PASTERNAK, ESQ.**

Signature of Attorney for Debtor(s)

JONATHAN S. PASTERNAK, ESQ. 6107

Printed Name of Attorney for Debtor(s)

RATTET, PASTERNAK & GORDON OLIVER, LLP

Firm Name

550 MAMARONECK AVENUE

Address

SUITE 510**HARRISON, NY 10528****(914) 381-7400**

Telephone Number

5/ 9/2007

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and 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

X

Date

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

X /s/ JORGE NISTHAUZ

Signature of Authorized Individual

JORGE NISTHAUZ

Printed Name of Authorized Individual

President

Title of Authorized Individual

5/ 9/2007

Date

Local Rule 1007-3(a)(i)

4. The Petitioner is in the business of owing and operating an eight-unit residential apartment building located at 40-23 99th Street, Corona, Queens County, New York (the "Apartment Building"). Seven of the eight apartments are currently rented and subject to the rent stabilization laws. The eighth apartment was occupied by a rent controlled tenant who recently passed away.

5. In or about August 31, 2005, the Petitioner obtained private financing from 99 Corona Funding Associates by a mortgage note in the amount of \$400,000. The mortgage provided for monthly payments for a period of twelve months, with the entire unpaid balance coming due in a balloon payment on September 1, 2006. The Petitioner was unable to make certain of the monthly payments, resulting in the commencement of a foreclosures proceeding in or about March 2006, 99 Corona Funding Associates v. Nisthauz Group, Inc., et al., Supreme Court, Queens County, Index No. 5695/06 (the "Foreclosure Action"). Although Petitioner has been aware of the foreclosure action, Petitioner did not receive notice of any foreclosure sale, which, upon information and belief, is scheduled for May 11, 2007. I became aware of the foreclosure sale only after receiving telephone calls from interested parties who had apparently seen the foreclosure sale notice. Petitioner intends to re-finance the property. Petitioner believes it has substantial equity in the property and that a re-finance is in the best interest of the Petitioner and all of its creditors.

6. In addition, the Apartment Building has been managed by an administrator since early 2006 pursuant to an order of the Civil Court of the City of New York, County of Queens in In the Matter of the Application of the Department of Housing Preservation

and Development of the City of New York for a Judgment, Index No. HP 638/05.

Local Rule 1007-3(a)(ii)

7. This case was not originally commenced under chapter 7, 12 or 13.

Local Rule 1007-3(a)(iii)

8. Upon information and belief, no committee was organized prior to the order for relief in this Chapter 11 case.

Local Rule 1007-3(a)(iv)

9. The names and addresses of the twenty (20) largest unsecured creditors excluding (i) those creditors who or which would not be entitled to vote at a creditors' meeting under 11 U.S.C. Section 702; (ii) such creditors who were employees of the Petitioner at the time of the filing of its petition for reorganization; and (iii) creditors who are "insiders" as that term is defined in 11 U.S.C. Section 101(31) are annexed hereto as Exhibit "A".

Local Rule 1007-3(a)(v)

10. The names and addresses of the five largest secured creditors are annexed hereto as Exhibit "B".

Local Rule 1007-3(a)(vi)

11. A summary of the Petitioner's assets and liabilities is annexed as Exhibit "C".

Local Rule 1007-3(a)(vii)

12. The Petitioner does not have any publicly held shares of stock, debentures or other securities.

Local Rule 1007-3(a)(viii)

13. The Apartment Building is managed by an administrator appointed pursuant to an order entered in early 2006 in In the Matter of the Application of the Department of Housing Preservation and Development of the City of New York for a Judgment, Civil Court of the City of New York, County of Queens, Index No. HP 638/05. Upon information and belief, the administrator is Raphael Lara (the "7A Administrator") located at c/o Department of Housing Preservation and development of the City of New York, 100 Gold Street, Third Floor, New York, NY 10038, (212) 863-8242 and 608-610 West 139 Street, New York, New York 10031, (212) 690-4819.

Local Rule 1007-3(a)(ix)

14. The Apartment Building is the only premises owned, leased or held under other arrangement from which the Petitioner operates its business.

Local Rule 1007-3(a)(x)

15. The Petitioner's substantial assets are located at the Apartment Building. The Petitioner's books and records are held with the 7A Administrator and at the address of the sole shareholder, 109 Donley Avenue, Staten Island, New York.

Local Rule 1007-3(a)(xi)

16. There are two actions pending against the Petitioner, as described above. The first is a foreclosure action in which, upon information and belief, a foreclosure sale has been scheduled on May 11, 2007. 99 Corona Funding Associates v. Nisthauz Group, Inc., et al., Supreme Court, Queens County, Index No. 5695/06. The second is a Housing Part action in which a 7A administrator has been appointed to manage the Apartment Building, In the Matter of the Application of the Department of Housing

Preservation and Development of the City of New York for a Judgment, Civil Court of the City of New York, County of Queens, Index No. HP 638/05.

Local Rule 1007-3(a)(xii)

17. I, Jorge Nisthauz, am the sole shareholder, officer and director of the Petitioner. In addition, the 7A Administrator manages the Apartment Building.

Local Rule 1007-3(a)(xiii)

18. The estimated weekly payroll to employees (exclusive of officers, directors, stockholders and partners) for the thirty (30) day period following the filing of the chapter 11 petition is unknown due to the fact that the 7A Administrator controls this issue.

Local Rule 1007-3(a)(xiv)

19. The amount to be paid by Petitioner for services to the officers and directors for the thirty (30) day period following the filing of the Chapter 11 petition is zero.

Local Rule 1007-3(a)(xv)

20. The estimated cash receipts and disbursements, net cash gain or loss, obligations and receivables expected to accrue but remaining unpaid, other than professional fees is annexed as Exhibit "D".

Conclusion

21. In addition to the foregoing, a copy of the corporate resolution authorizing the filing of the instant Chapter 11 petition is annexed as Exhibit "E" and a list of all shareholders, directors and officers is annexed as Exhibit "F".

22. The Debtor believes it is in the best interests of all of its creditors that it be

afforded an opportunity to refinance and reorganize its obligations in Chapter 11.

23. The needs and interests of the Petitioner and its creditors will best be served by the Petitioner's possession of its assets and management of its affairs as a Debtor-in-Possession under Chapter 11 until confirmation of a reorganization plan.

/s/ Jorge Nisthauz
Jorge Nisthauz

Sworn to before me this
9th day of May, 2007

/s/ Dawn K. Arnold

Notary Public

DAWN K. ARNOLD
Notary Public, State of New York
No. 02AR6089370
Qualified in New York County
Commission Expires June 2, 2007

EXHIBIT "A"

TWENTY LARGEST UNSECURED CREDITORS

* List does not include insiders within the meaning of 11 U.S.C. Section 101(14)

<u>Name of Creditor</u>	<u>Estimated Amount</u>
Keyspan Energy Delivery P.O. Box 020690 Brooklyn, New York 11202-9965	\$5,000.00

EXHIBIT "B"

FIVE LARGEST SECURED CREDITORS

<u>Name</u>	<u>Estimated Amount</u>
99 Corona Funding Associates c/o WRA Properties, Inc. 234-19 41 st Avenue Douglaston, New York 11363	\$485,000 (disputed)
City of New York State Department Finance P.O. Box 32 Church Street Station New York, NY 10008-0032	\$9,000 (estimate)

EXHIBIT "C"

SUMMARY OF ASSETS AND LIABILITIES

ASSETS:

Land and Building	\$750,000
TOTAL ASSETS	\$750,000

LIABILITIES:

First Mortgage	\$485,000
RE Taxes	\$9,000
Utilities Payable	\$5,000
TOTAL LIABILITIES	\$499,000

EXHIBIT "D"

**SCHEDULE OF CASH RECEIPTS AND DISBURSEMENTS FOR THE THIRTY DAY
PERIOD FOLLOWING FILING OF THE CHAPTER 11 PETITION**

INCOME:

Rent Collections	\$8,150
TOTAL INCOME	\$8,150

EXPENSES:

Mortgage	\$4,000
RE Taxes (Pro Rated)	\$675
Gas	\$700
Electric	\$20
Water	\$300
Maintenance	\$200
TOTAL EXPENSES:	\$5,895

EXHIBIT "E"

RESOLUTION

The undersigned, president, sole shareholder and sole director of Nisthauz Group, Inc., a corporation organized under the laws of the State of New York (the "Company"), does hereby certify that at a duly called meeting of the Board of Directors held on the 9th day of May, 2007, the following resolutions were adopted, and they have not been modified or rescinded, and are still in full force and effect:

"RESOLVED, that in the judgment of the Company, it is desirable and in the best interests of the Company, that its officers be empowered to cause a petition under Chapter 11 of the Bankruptcy Code to be filed by the Company upon such date, and in the event, in their discretion, such action should become necessary for the protection of the Company and the preservation of its assets without further notice to the officers of the Company; and it is further

RESOLVED, that the Officers of the Company, or any of them, be and they hereby are authorized on behalf of the Company to execute and file all petitions, schedules, lists and other papers and to take any and all action which they may deem necessary or proper in connection with such proceedings under Chapter 11, and in that connection to retain and employ Rattet, Pasternak & Gordon Oliver, LLP, and to retain and employ all assistance by other legal counsel or otherwise which they may deem necessary or proper with a view to the successful conclusion of such reorganization case."

IN WITNESS WHEREOF, I have hereunto set my hand, this 9th day of May, 2007.

/s/ Jorge Nisthauz
Jorge Nisthauz, President

Sworn to before me this
9th day of May, 2007

/s/ Dawn K. Arnold
Notary Public

DAWN K. ARNOLD
Notary Public, State of New York
No. 02AR6089370
Qualified in New York County
Commission Expires June 2, 2007

EXHIBIT "F"

Officers: Jorge Nisthauz, sole officer

Directors: Jorge Nisthauz, sole director

Shareholders: Jorge Nisthauz, sole shareholder

RATTET, PASTERNAK & GORDON OLIVER, LLP
Attorneys for the Petitioner
550 Mamaroneck Avenue
Harrison, New York 10528
(914) 381-7400

JONATHAN S. PASTERNAK (JP-6107)
DAWN K. ARNOLD (DA-0642)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11
Case No. 07 B _____ ()

NISTHAUZ GROUP, INC.

Debtor.

Tax ID: 83-0430010

-----X

CERTIFICATION OF MATRIX

JORGE NISTHAUZ,, being duly sworn, deposes and says that he is the President of the above-captioned Petitioner (the "Petitioner"), and that the within List of Creditors made pursuant to the Local Rules of this Court is true, complete and correct to the best of deponent's knowledge and, based upon information and belief, contains the names and post office address, including zip codes, of the Petitioner's creditors, and appropriate taxing authorities.

Sworn to before me this
9th day of May, 2007

/s/ Jorge Nisthauz
Jorge Nisthauz, President

/s/ Dawn K. Arnold
Notary Public

DAWN K. ARNOLD
Notary Public, State of New York
No. 02AR6089370
Qualified in New York County
Commission Expires June 2, 2007
Commission Expires May 1, 2010

MATRIX

Nisthauz Group, Inc.
c/o Mr. Jorge Nisthauz
109 Donley Avenue, 1st Floor
Staten Island, New York 10305

Deborah Rand, Esq.
Department of Housing Preservation and Development
100 Gold Street, Third Floor
New York, New York 10038

Raphael Lara
New City View Development
608-610 West 139 Street
New York, New York 10031

Office of the United States Trustee
271 Cadman Plaza East, Suite 4529
Brooklyn, New York 11201

99 Corona Funding Associates
c/o WRA Properties, Inc.
234-19 41st Avenue
Douglaston, New York 11363

99 Corona Funding Associates
c/o Green Assets, Inc.
234-19 41st Avenue
Douglaston, New York 11363

99 Corona Funding Associates
H. Michael Lynch, Esq.
Lynch & Associates, PLLC
205 Lexington Avenue
New York, New York 10016

City of New York Department Finance
P.O. Box 32
Church Street Station
New York, NY 10008-0032

Keyspan Energy Delivery
P.O. Box 020690

Brooklyn, New York 11202-9965

Internal Revenue Service
10 Metro Tech Center
625 Fulton Street
Brooklyn, New York 11201

Securities & Exchange Commission
Northeast Regional Building
Woolworth Building
233 Broadway
New York, New York 10279