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B 1 (Official Form 1) (1/08) United States Bankruptcy Court Eastern District of New York Voluntary Petition Name of Joint Debtor (Spouse) (Last, First, Middle): Name of Debtor (if individual, enter Last, First, Middle): Eclisse Restaurant Inc. All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if than one state all): more than one, state all): 331105717 Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 105 Harbor Road Cold Spring Harbor, New York ZIP CODE ZIP CODE 11724 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Suffolk Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Chapter of Bankruptcy Code Under Which Nature of Business Type of Debtor the Petition is Filed (Check one box) (Form of Organization) (Check one box) (Check one box.) Health Care Business Chapter 15 Petition for Chapter 7 Single Asset Real Estate as defined in Individual (includes Joint Debtors) Recognition of a Foreign Chapter 9 11 U.S.C. § 101(51B) Main Proceeding See Exhibit D on page 2 of this form. Chapter 11 \mathbf{V} ☐ Railroad Corporation (includes LLC and LLP) Chapter 15 Petition for ☐ Stockbroker Chapter 12 Partnership Recognition of a Foreign Commodity Broker Nonmain Proceeding Other (If debtor is not one of the above entities, Chapter 13 ☐ Clearing Bank check this box and state type of entity below.) Nature of Debts ☑ Other (Check one box) Tax-Exempt Entity Debts are primarily Debts are primarily consumer (Check box, if applicable) business debts. debts, defined in 11 U.S.C. § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose," Chapter 11 Debtors Filing Fee (Check one box) Check one box: Full Filing Fee attached Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes attach signed application for the court's consideration. See Official Form 3B. A plan is being filed with this petition Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR Statistical/Administrative Information COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 200-1,000-5,001-10,001-25,001-50,001-Over 100-50-100,000 100,000 199 999 5,000 10,000 25,000 50,000 49 Estimated Assets \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,001 to \$0 to \$100,001 to to \$100 to \$500 to \$1 billion \$1 billion \$50,000 \$100,000 to \$50 \$500,000 to \$10 \$1 million million million million million Estimated Liabilities \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,001 to \$100,001 to to \$100 to \$500 to \$10 to \$50 \$1 billion \$50,000 \$100,000 \$500,000 to \$1 billion million million million million million

Case 8-09-70956-reg Entered 02/18/09 18:19:24 FORM B1, Page 2 Doc 1 Filed 02/18/09 Voluntary Petition Name of Debtor(s): (This page must be completed and filed in every case) Eclisse Restaurant Inc. All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) Date Filed: Case Number: Location NONE Where Filed: Date Filed: Location Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: Name of Debtor: Case Number: NONE District: Relationship: Judge: Exhibit A Exhibit R (To be completed if debtor is an individual (To be completed if debtor is required to file periodic reports (e.g., forms 10K and whose debts are primarily consumer debts) 100) 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.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). Exhibit A is attached and made a part of this petition, X Not Applicable Signature of Attorney for Debtor(s) Date Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. ☑ No Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition, Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately Ø preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District. or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following). (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the

entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

filing of the petition.

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the

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Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Eclisse Restaurant Inc.						
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 Not Applicable Signature of Debtor X Not Applicable Signature of Joint Debtor Telephone Number (If not represented by attorney)	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 § 1515 of title 11 are attached. Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. X Not Applicable (Signature of Foreign Representative)						
	Date						
Signature of Attorney X Signature of Attorney Signature of Attorn	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. Not Applicable 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 Not Applicable						
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 Signature of Authorized Individual Clear Blue Water LLC Printed Name of Authorized Individual Sole Shareholder Title of Authorized Individual	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 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.						

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United States Bankruptcy Court

Eastern District of New York

In re:	Case No.	
	Chapter	11

Eclisse Restaurant Inc.

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Clear Blue Water LLC, declare under penalty of perjury that I am the Sole Shareholder of Eclisse Restaurant Inc., a New York Corporation and that on 02/18/2009 the following resolution was duly adopted by the Board of Directors of this Corporation:

"Whereas, it is in the best interest of this Corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Clear Blue Water LLC, Sole Shareholder of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a Chapter 11 voluntary bankruptcy case on behalf of the Corporation; and

Be It Further Resolved, that Clear Blue Water LLC, Sole Shareholder of this Corporation, is authorized and directed to appear in all bankruptcy proceedings on behalf of the Corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Corporation in connection with such bankruptcy case; and

Be It Further Resolved, that Clear Blue Water LLC, Sole Shareholder of this Corporation, is authorized and directed to employ Gary M. Kushner, Esq., attorney and the law firm of Forchelli, Curto, Crowe, Deegan, etc. to represent the Corporation in such bankruptcy case."

Evacuted on:

Signed:

Clear Blue Water LLC₄

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK

		_X		
In Re:				
Eclisse Restaurant Inc.		Case No.		
			Chapter	11
	Debtor(s)			
		_x		

VERIFICATION OF CREDITOR MATRIX/LIST OF CREDITORS

The undersigned debtor(s) or attorney for the debtor(s) hereby verifies that the creditor matrix/list of creditors submitted herein is true and correct to the best of his or her knowledge.

Dated: February 19, 2009

Clear Blue Water LLC

Sole Shareholder

Gary M. Kushner, Esq. Atterney for Debtor