B1 (Official Form 1)(12/11)								
United S East	States Bankr ern District of 1	uptcy C New Yorl	k k				Volunt	tary Petition
Name of Debtor (if individual, enter Last, First, <b>E.B. Realty Holding Corp</b>	Middle):	Name o	of Joint De	ebtor (Spouse	t) (Last, First, №	Middle):		
All Other Names used by the Debtor in the last 8 (include married, maiden, and trade names):				Joint Debtor in trade names):	the last 8 year	S		
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) 20-0307642	yer I.D. (ITIN) No./C	omplete EIN		ur digits of han one, state		Individual-Ta	xpayer I.D. (II	TIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, a 3700 Richmond Avenue Staten Island, NY	nd State):	ZIP Code	Street A	Address of	Joint Debtor	(No. and Stree	et, City, and St	ate): ZIP Code
	1	0312	1					
County of Residence or of the Principal Place of <b>Richmond</b>						Principal Plac		
Mailing Address of Debtor (if different from stre	eet address):		Mailing	g Address	of Joint Debt	or (if different	from street ad	dress):
		ZIP Code	_					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):	96 Page Av Staten Islar		312					
Type of Debtor	Nature of	f Business			Chapter	of Bankrupt	cy Code Unde	r Which
<ul> <li>(Form of Organization) (Check one box)</li> <li>Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.</li> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	(Check of Health Care Busi Single Asset Rea in 11 U.S.C. § 10 Railroad Stockbroker	nl Estate as de D1 (51B)	efined	imed       the Petition is Filed (Check one box)         imed       Chapter 7         imed       Chapter 9         imed       Chapter 9         imed       Chapter 15 Petition for Recognition of a Foreign Main Proceeding         imed       Chapter 12         imed       Chapter 13         imed       Foreign Nonmain Proceeding				
Chapter 15 Debtors	Clearing Bank					Nature	of Debts	
Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	Tax-Exen (Check box,         □ Debtor is a tax-exe under Title 26 of th Code (the Internal	if applicable) mpt organizatione United State	"incurred by an individual primarily for					
Filing Fee (Check one box	)	Check one	e box:		Chap	ter 11 Debtor	s	
<ul> <li>Full Filing Fee attached</li> <li>Filing Fee to be paid in installments (applicable to attach signed application for the court's considerati debtor is unable to pay fee except in installments. I Form 3A.</li> <li>Filing Fee waiver requested (applicable to chapter attach signed application for the court's consideration for the court's consideration for the court's consideration.</li> </ul>	t t $B$	otor is not a otor's aggre less than \$ applicable lan is being eptances o	egate noncor 2,343,300 ( <i>d</i> boxes: g filed with f the plan w	ness debtor as c ntingent liquida <i>amount subject</i> this petition. vere solicited pr	ated debts (exclu to adjustment of repetition from o	S.C. § 101(51D). iding debts owed	to insiders or affiliates) ery three years thereafter).	
Statistical/Administrative Information		in a	ccordance	with 11 U.S	S.C. § 1126(b).		PACE IS FOR C	COURT USE ONLY
<ul> <li>Debtor estimates that funds will be available</li> <li>Debtor estimates that, after any exempt prop there will be no funds available for distributi</li> </ul>	erty is excluded and a	dministrative		s paid,				
Estimated Number of Creditors           Image: Creditors			50,001- 100,000	OVER 100,000				
\$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001	to \$100 to	00,000,001	\$500,000,001 to \$1 billion	More than \$1 billion			
\$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50	to \$100 to	00,000,001	\$500,000,001 to \$1 billion	More than \$1 billion			

B1 (Official For		Name of Debtor(s):	Page 2
Voluntar	y Petition	E.B. Realty Holding	Согр
(This page mi	ust be completed and filed in every case)		-
	All Prior Bankruptcy Cases Filed Within Las		attach additional sheet)
Location Where Filed:	- None -	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If a	more than one, attach additional sheet)
Name of Deb - None -	tor:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A	(To be completed if debtor is ar	Exhibit B individual whose debts are primarily consumer debts.)
forms 10K a pursuant to	pleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 esting relief under chapter 11.)	have informed the petitioner 12, or 13 of title 11, United	ner named in the foregoing petition, declare that I that [he or she] may proceed under chapter 7, 11, States Code, and have explained the relief available inther certify that I delivered to the debtor the notice b).
🗖 Exhibit	A is attached and made a part of this petition.	XSignature of Attorney for	Debtor(s) (Date)
		libit C	
	or own or have possession of any property that poses or is alleged to I Exhibit C is attached and made a part of this petition.		dentifiable harm to public health or safety?
Exhibit If this is a jo	leted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.	
	Information Regardin	ng the Debtor - Venue	
	(Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	al place of business, or princ	
	There is a bankruptcy case concerning debtor's affiliate, g		
	Debtor is a debtor in a foreign proceeding and has its print this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	s in the United States but is a	defendant in an action or
	Certification by a Debtor Who Reside (Check all app		l Property
	Landlord has a judgment against the debtor for possession		checked, complete the following.)
	(Name of landlord that obtained judgment)		
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment	here are circumstances under	which the debtor would be permitted to cure
	Debtor has included in this petition the deposit with the co after the filing of the petition.		

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

1)(10/11) 000 . 1 . F

31 (Official Form 1)(12/11)	Page 3
Voluntary Petition	Name of Debtor(s): E.B. Realty Holding Corp
(This page must be completed and filed in every case)	
	Signatures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
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 at 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 rel: available under each such chapter, and choose to proceed under chapter 7 [If no attorney represents me and no bankruptcy petition preparer signs th petition] I have obtained and read the notice required by 11 U.S.C. §342(I I request relief in accordance with the chapter of title 11, United States Corspecified in this petition.	<ul> <li>ief (Check only one box.)</li> <li>□ 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.</li> <li>b). □ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter</li> </ul>
¥7	X
X Signature of Debtor	Signature of Foreign Representative
-	
X Signature of Joint Debtor	Printed Name of Foreign Representative
Signature of Joint Debtor	
	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
	Signature of Non-Attorney Bankrupicy retution rreparer
Date	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
Signature of Attorney*	and the notices and information required under 11 U.S.C. §§ 110(b),
V III Verra Genera Ferra VO	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
X /s/ Yann Geron, Esq. YG Signature of Attorney for Debtor(s)	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.
Yann Geron, Esq. YG 1130 Printed Name of Attorney for Debtor(s)	Official Form 19 is attached.
Fox Rothschild LLP	Printed Name and title, if any, of Bankruptcy Petition Preparer
Firm Name	······································
100 Park Avenue,⊡Suite 1500 New York, NY 10017 Address	Social-Security number (If the bankrutpcy 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.)
Email: ygeron@foxrothschild.com 212-878-7901 Fax: (212) 692-0940	
Telephone Number	
June 28, 2013	Address
Date	
*In a case in which § 707(b)(4)(D) applies, this signature also constitutes certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	A
Signature of Debtor (Corporation/Partnership)	Date
	Signature of bankruptcy petition preparer or officer, principal, responsible
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 pet on behalf of the debtor.	person, or partner whose Social Security number is provided above. ition Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is
The debtor requests relief in accordance with the chapter of title 11, Unite States Code, specified in this petition.	not an individual:
X_/s/ John Noce	
Signature of Authorized Individual	
John Noce	If more than one person prepared this document, attach additional sheets
Printed Name of Authorized Individual	conforming to the appropriate official form for each person.
Manager	A bankruptcy petition preparer's failure to comply with the provisions of
Title of Authorized Individual	title 11 and the Federal Rules of Bankruptcy Procedure may result in
June 28, 2013	fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.
Date	

B4 (Official Form 4) (12/07)

## United States Bankruptcy Court Eastern District of New York

In re E.B. Realty Holding Corp

Debtor(s)

Case No. Chapter

11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [*or* chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
NYC Department & Finance P.O. Box 680 Newark, NJ 07101-0680	NYC Department & Finance P.O. Box 680 Newark, NJ 07101-0680			42,028.87
Trinity HVAC 168 Lee Avenue Staten Island, NY 10307	Trinity HVAC 168 Lee Avenue Staten Island, NY 10307			5,000.00

B4 (Official Form 4) (12/07) - Cont. In re E.B. Realty Holding Corp

Debtor(s)

Case No.

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]

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

I, the Manager of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date June 28, 2013

Signature /s/ John Noce John Noce Manager

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571. B6 Summary (Official Form 6 - Summary) (12/07)

## United States Bankruptcy Court Eastern District of New York

In re

•

E.B. Realty Holding Corp

Debtor

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	8,400,000.00		
B - Personal Property	Yes	3	10.85		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	1		6,332,792.63	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		42,028.87	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		5,000.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	2			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedu	ıles	11			
	Te	otal Assets	8,400,010.85		
			Total Liabilities	6,379,821.50	

B6A (Official Form 6A) (12/07)

In re E.B. Realty Holding Corp

Case No.

# SCHEDULE A - REAL PROPERTY

Debtor

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Real property located at 96 Page Avenue, Staten Island, NY 10312 Block 7580, Lot 5	Fee	-	8,400,000.00	6,332,792.63
Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim

(NOTE: Value listed is for lots 1,3,5, Block 7580. Foreclosure Judgment is also against these three lots.)

Sub-Total > **8,400,000.00** (Total of this page)

B6B (Official Form 6B) (12/07)

In re E.B. Realty Holding Corp

Case No.

Debtor

## **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O Description and Location of Property E	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1.	Cash on hand	x		
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	EB Realty Holding Corp. New York Community Bank/Richmond Savings Bank Last 4 digits of account: 6100 Ending balance as of 2/28/2013 - \$10.85	-	10.85
3.	Security deposits with public utilities, telephone companies, landlords, and others.	x		
4.	Household goods and furnishings, including audio, video, and computer equipment.	x		
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X		
6.	Wearing apparel.	x		
7.	Furs and jewelry.	x		
8.	Firearms and sports, photographic, and other hobby equipment.	x		
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	Tower National Insurance Company - value unknown Business owners, commercial general liability, automobile liability, umbrella liability, workers compensation, property	-	0.00
10.	Annuities. Itemize and name each issuer.	x		

10.85

**2** continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re

E.B. Realty Holding Corp

Case No.

## Debtor

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	x			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	x			
16.	Accounts receivable.	X			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	x			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	x			

Sheet <u>1</u> of <u>2</u> continuation sheets attached to the Schedule of Personal Property

0.00

Sub-Total >

(Total of this page)

**B6B** (Official Form 6B) (12/07) - Cont.

In re

E.B. Realty Holding Corp

Case No.

## Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22.	Patents, copyrights, and other intellectual property. Give particulars.	x			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	x			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.	X			
26.	Boats, motors, and accessories.	Х			
27.	Aircraft and accessories.	Х			
28.	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	Х			
31.	Animals.	Х			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	X			
34.	Farm supplies, chemicals, and feed.	х			
35.	Other personal property of any kind not already listed. Itemize.	X			

B6D (Official Form 6D) (12/07)

In re

E.B. Realty Holding Corp

Case No.\_

## **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

Debtor

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests. List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.) Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) Account No.	CODEBTOR	Hu H J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN Index No. 130847/2011	G	DA T D C D T Z C	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034		-	Order & Judgment of Foreclosure And Sale NY State Supreme Ct., Richmond County 126 Page Avenue, Block 7580, Lots 1,3 &5		ED			
	┢	╘	Value \$ 8,400,000.00	Ш			6,332,792.63	0.00
Account No.			Value \$					
Account No.	╉	⊢			_			
			Value \$					
Account No.			Value \$					
<b>0</b> continuation sheets attached	-		S (Total of th	ubto nis p			6,332,792.63	0.00
			(Report on Summary of Scl		ota ule		6,332,792.63	0.00

B6E (Official Form 6E) (4/10)

In re

### E.B. Realty Holding Corp

Case No.

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

Debtor

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

### □ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

### □ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

### **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

### □ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

### Deposits by individuals

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

### Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

### □ Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

### □ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. 507(a)(10).

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

### 1 continuation sheets attached

B6E (Official Form 6E) (4/10) - Cont.

In re

### E.B. Realty Holding Corp

Case No.

## **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

Debtor

(Continuation Sheet)

### Taxes and Certain Other Debts Owed to Governmental Units

							TYPE OF PRIORITY	7
	с	Hu	sband, Wife, Joint, or Community	С	U			
CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONFERGENT	UN L Q U L A L E D	ISPUTED	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY AMOUNT ENTITLED TO PRIORITY
Account No.				Т	T E D			
NYC Department & Finance P.O. Box 680 Newark, NJ 07101-0680		-						0.00
Account No.	_						42,028.87	42,028.87
Account No.								
Account No.								
Account No.								
Account No.								
Sheet <u>1</u> of <u>1</u> continuation sheets attack	hec	l to		ubt				0.00
Schedule of Creditors Holding Unsecured Prior							42,028.87	42,028.87
			(Report on Summary of Sc		ota ule		42,028.87	0.00 42,028.8

B6F (Official Form 6F) (12/07)

In re

E.B. Realty Holding Corp

Case No.

Debtor

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) Account No. TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034	CODUBTOR	J H	H V I C	band, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. Index No. 130668/2011 Order & Judgment of Foreclosure And Sale, NY State Supreme Ct., Richmond County, 126 Page Avenue, Block 7580, Lot 80			P U T E	AMOUNT OF CLAIM
								0.00
Account No.		T	Ť		Γ		T	
Trinity HVAC 168 Lee Avenue Staten Island, NY 10307		-						
								5,000.00
Account No.								
Account No.								
<b>_0</b> continuation sheets attached				(Total of t	Sub this			5,000.00
				(Report on Summary of So		Fota dule		5,000.00

**B6G (Official Form 6G) (12/07)** 

In re

0

•

### E.B. Realty Holding Corp

Case No.

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Debtor

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.		
BDD Page Ave Restaurant 96 Page Ave. Staten Island, NY 10312	Commercial Lease between Debtor and BDD Page Avenue Restaurant Corp. dated Jaunary, 2010.		
Cigar Vault Emporium, Inc 96 Page Ave. Staten Island, NY 10312	Commercial Lease between Debtor and Cigar Vault Emporium, Inc. dated July 1, 2010		
Dave Casale Bakery 96 Page Ave. Staten Island, NY 10312	Commerical Lease between Debtor and Dave Casale dated May 1, 2010.		
G&N Cellular, Inc. 96 Page Avenue Staten Island, NY 10312	Commercial Lease between Debtor and G&N Cellular, Inc. dated March 5, 2013		

**B6H (Official Form 6H) (12/07)** 

In re E.B.

E.B. Realty Holding Corp

Case No.

## **SCHEDULE H - CODEBTORS**

Debtor

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

□ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

AET Realty Holding Corp. 3700 Richmond Avenue Staten Island, NY 10312

Alice Noce 490 Drumgoole Road East Staten Island, NY 10312

Antonio Mandara 520 Sheldon Avenue Staten Island, NY 10312

Augusto Mandara 234 Bennett Avenue Staten Island, NY 10312

Emil Branchinelli 643 June Place North Woodmere, NY 11581

Giuseppina Mandara 234 Bennett Avenue Staten Island, NY 10312

John Noce 490 Drumgoole Road East Staten Island, NY 10312

Joseph Noce 50 Weaver Street Staten Island, NY 10312

Judy Branchinelli 643 June Place North Woodmere, NY 11581

Lisa Mandara 520 Sheldon Avenue Staten Island, NY 10312

Lisa Noce 50 Weaver Street Staten Island, NY 10312

1

Richmond Valley Plaza LLC 3700 Richmond Avenue Staten Island, NY 10312 NAME AND ADDRESS OF CREDITOR

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034 In re E.B. Realty Holding Corp Case No.

Debtor

# SCHEDULE H - CODEBTORS (Continuation Sheet)

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

TM Real Estate Holdings 3700 Richmond Avenue Staten Island, NY 10312

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

B6 Declaration (Official Form 6 - Declaration). (12/07)

## United States Bankruptcy Court Eastern District of New York

In re E.B. Realty Holding Corp

Debtor(s)

Case No. Chapter

11

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Manager of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of **13** sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date June 28, 2013

Signature /s/ John Noce John Noce Manager

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

B7 (Official Form 7) (04/10)

## United States Bankruptcy Court Eastern District of New York

In re E.B. Realty Holding Corp

Debtor(s)

Case No. Chapter

11

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

### DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

### 1. Income from employment or operation of business

None State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

### 2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

#### **3.** Payments to creditors

None Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	DATES OF	AMOUNT PAID	AMOUNT STILL
OF CREDITOR	PAYMENTS		OWING

None b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850<sup>\*</sup>. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	DATES OF PAYMENTS/	AMOUNI PAID OR VALUE OF	AMOUNT STILL
NAME AND ADDRESS OF CREDITOR	TRANSFERS	TRANSFERS	OWING

None c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

AMOUNT

AMOUNT STILL OWING

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER T.D. Bank, N.A. (Successor by Merger to Commerce Bank/North v. T. M. Real Estate Holding, LLC, et al. Index No. 130847/2011	NATURE OF PROCEEDING Foreclosure Action	COURT OR AGENCY AND LOCATION Supreme Court Of The State Of New York, County Of Richmond	STATUS OR DISPOSITION Order and Judgment of Foreclosure and Sale entered May 1, 2013 jointly against all affiliated Debtors.
T.D. Bank, N.A. (Successor by Merger to Commerce Bank/North v. T. M. Real Estate Holding, LLC, et al. Index No. 130668/2011	Guarantee Action	Supreme Court Of The State Of New York, County Of Richmond	Judgment entered April 15, 2013 jointly against all affiliated Debtors.

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

2

	AND ADDRESS OF PERSON FOR W ENEFIT PROPERTY WAS SEIZED	VHOSE DATE OF SEIZURE DI	ESCRIPTION AND PROPERT	
	5. Repossessions, foreclosures and	l returns		
None	returned to the seller, within one ye	sessed by a creditor, sold at a foreclosure s ar immediately preceding the commencem- tion concerning property of either or both s tition is not filed.)	ent of this case. (M	larried debtors filing under chapter 12
	AND ADDRESS OF TOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION A PROPE	
	6. Assignments and receiverships			
None	this case. (Married debtors filing un	erty for the benefit of creditors made within der chapter 12 or chapter 13 must include a uses are separated and a joint petition is no	any assignment by	
NAME A	AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSI	GNMENT OR SETTLEMENT
None	preceding the commencement of thi	n the hands of a custodian, receiver, or cou s case. (Married debtors filing under chapte thether or not a joint petition is filed, unless	er 12 or chapter 13	must include information concerning
OF C	AND ADDRESS CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
	l V. Ajello, Esq.	T.D. Bank, N.A. (Successor by Merger to Commerce Bank/North v. T. M. Real Estate Holding,	June 28, 2012 - entered on July 5, 2012	Collection of rents for Lots 1, 3 and 5, Block 7580
Michae				
Michae		LLC, et al. Index No. 130847/2011	ouly 0, 2012	Rent Receiver Discharged January 2013.
Michae		LLC, et al.	ouly 0, 2012	
TD Ban 1701 Rc	k, N.A. oute 70 East Hill, NJ 08034	LLC, et al. Index No. 130847/2011 Supreme Court Of The State Of	ouly 0, 2012	

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION

RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT 3

8. Losses

None 

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

9. Payments related to debt counseling or bankruptcy

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

None	List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation
Ш	concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within <b>one year</b> immediately
	preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE Fox Rothschild LLP 100 Park Avenue New York, NY 10017		DATE OF PAYM NAME OF PAYOR I THAN DEBT May 9, 2013 - from LLC	FOTHER	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY \$12,500		
Fox Rothschild LLP 100 Park Avenue New York, NY 10017		June 24, 2013 - fre Commons LLC	om Tottenville	\$12,500		
	10. Other transfers					
None	a. List all other property, other than prop transferred either absolutely or as securit filing under chapter 12 or chapter 13 mu spouses are separated and a joint petitior	y within <b>two years</b> immediatel st include transfers by either or	y preceding the commence	ement of this case. (Married debtors		
NAME A	ND ADDRESS OF TRANSFEREE,		DESCRIBE PROPI	ERTY TRANSFERRED		
RI	ELATIONSHIP TO DEBTOR	DATE	AND VA	LUE RECEIVED		
None	b. List all property transferred by the de trust or similar device of which the debte		ely preceding the commen	cement of this case to a self-settled		
NAME O	F TRUST OR OTHER		AMOUNT OF MO	NEY OR DESCRIPTION AND		
DEVICE		DATE(S) OF TRANSFER(S)	VALUE OF PROPI IN PROPERTY	ERTY OR DEBTOR'S INTEREST		
	11. Closed financial accounts					
None	List all financial accounts and instrumen					

otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must led.

cooperatives, associations, brokerage nouse	is and other infancial institutions. (Married debtors in	ing under enupter 12 of enupter
include information concerning accounts or	r instruments held by or for either or both spouses wh	ether or not a joint petition is file
unless the spouses are separated and a joint	t petition is not filed.)	
	TYPE OF ACCOUNT. LAST FOUR	
	DIGITS OF ACCOUNT NUMBER,	AMOUNT AND DATE OF
AND ADDRESS OF INSTITUTION	AND AMOUNT OF FINAL DALANCE	OP CLOSING

NAME A ESS OF INSTITUTION AND AMOUNT OF FINAL BALANCE

SALE OR CLOSING

5

	12. Safe deposit boxes				
None	immediately preceding the comm	ox or depository in which the debtor has o nencement of this case. (Married debtors f buses whether or not a joint petition is file	iling under chapter 12 or cha	apter 13 must include boxes or	
	AND ADDRESS OF BANK THER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY	
	13. Setoffs				
None	commencement of this case. (Ma	itor, including a bank, against a debt or de rried debtors filing under chapter 12 or cl stition is filed, unless the spouses are sepa	apter 13 must include infor	mation concerning either or both	
NAME A	AND ADDRESS OF CREDITOR	DATE OF SETOFF	Α	MOUNT OF SETOFF	
	14. Property held for another	person			
None	List all property owned by anoth	er person that the debtor holds or controls			
BDD Pa 96 Page	NAME AND ADDRESS OF OWNERDESCRIPTION AND VALUE OF PROPERTYLOCATION OF PROPERTYBDD Page Ave RestaurantSecurity Deposit \$8,00096 Page Ave.Staten Island, NY 10312				
96 Page	ault Emporium, Inc e Ave. sland, NY 10312	Security Deposit \$5,000			
96 Page	asale Bakery e Ave. sland, NY 10312	Security Deposit \$5,000			
	15. Prior address of debtor				
None		<b>hree years</b> immediately preceding the conv vacated prior to the commencement of thi			
ADDRES	SS	NAME USED	Γ	DATES OF OCCUPANCY	
	16. Spouses and Former Spous	es			
None	Louisiana, Nevada, New Mexico	a a community property state, commonwea , Puerto Rico, Texas, Washington, or Wis tify the name of the debtor's spouse and o	consin) within eight years i	mmediately preceding the	
NAME					

Best Case Bankrupto

NATURE OF BUSINESS

**BEGINNING AND** 

ENDING DATES

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL

TAXPAYER-I.D. NO.

(ITIN)/ COMPLETE EIN ADDRESS

### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

DATE OF

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF	DATE OF	ENVIRONMENTAL
	GOVERNMENTAL UNIT	NOTICE	LAW
	ss of every site for which the debtor provided rnmental unit to which the notice was sent an	e	nit of a release of Hazardous
SITE NAME AND ADDRESS	NAME AND ADDRESS OF	DATE OF	ENVIRONMENTAL
	GOVERNMENTAL UNIT	NOTICE	LAW
5	istrative proceedings, including settlements of . Indicate the name and address of the govern	,	<b>.</b>

docket number.

NAME AND ADDRESS OF

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

END/IDOND/ENTERI

6

### 18. Nature, location and name of business

None a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

NAME

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME

ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, records and financial statements

None a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Richard Wismer, CPA Daszkowski, Tompkins, Weg & Carbonella 1303 Clove Road Staten Island, NY 10301 DATES SERVICES RENDERED From the end of 2011 to present

DATES SERVICES RENDERED

7

None b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

ADDRESS

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME Richard Wismer, CPA Books located at 3700 Richmond Avenue, Staten Island, NY ADDRESS Daszkowski, Tompkins, Weg & Carbonella 1303 Clove Road Staten Island, NY 10301

DATE ISSUED

### John Noce Books located at 3700 Richmond Avenue, Staten Island, NY

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

### NAME AND ADDRESS

 20. Inventories

 None

 a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

 DATE OF INVENTORY
 INVENTORY SUPERVISOR

 None
 b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

8

	21 . Current Partners, Officers, Di	irectors and Shareholders		
None	a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.			
NAME A	AND ADDRESS	NATURE OF INTEREST	PERCENTAGE OF INTEREST	
None	b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly own controls, or holds 5 percent or more of the voting or equity securities of the corporation.			
NAME A	AND ADDRESS	TITLE	NATURE AND PERCENTAGE OF STOCK OWNERSHIP	
Joseph 50 Weav		Shareholder	20%	
643 Jun	anchinelli le Place /oodmere, NY 11581	Shareholder	20%	
234 Ber	o Mandara nnett Avenue sland, NY 10312	Shareholder	20%	
520 She	) Mandara Ildon Avenue sland, NY 10312	Shareholder	20%	
	oce Imgoole Road East sland, NY 10312	Shareholder	20%	
	22 . Former partners, officers, dire	ectors and shareholders		
None	a. If the debtor is a partnership, list commencement of this case.	each member who withdrew from the partners	ship within <b>one year</b> immediately preceding the	
NAME ADI		ADDRESS	DATE OF WITHDRAWAL	
None	e b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within <b>one year</b> immediately preceding the commencement of this case.			
NAME A	AND ADDRESS	TITLE	DATE OF TERMINATION	
	23 . Withdrawals from a partnersl	nip or distributions by a corporation		
None	in the debter is a participant of corporation, not an initial ways of distributions created of given to an instabil, including compensation			
OF REC	ε ADDRESS IPIENT, ONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY	
	24. Tax Consolidation Group.			
None			mber of the parent corporation of any consolidated <b>six years</b> immediately preceding the commencement	

NAME OF PARENT CORPORATION

-

TAXPAYER IDENTIFICATION NUMBER (EIN)

25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

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

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date June 28, 2013

Signature /s/ John Noce John Noce Manager

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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

In	e E.B. Realty Holding Corp	Case No.	
	Debtor(s)	Chapter	11
	DISCLOSURE OF COMPENSATION OF ATTORNE	Y FOR DE	BTOR(S)
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney compensation paid to me within one year before the filing of the petition in bankruptcy, or ag be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankrupt	reed to be paid	to me, for services rendered or to
	For legal services, I have agreed to accept	\$	25,000.00
	Prior to the filing of this statement I have received	\$	25,000.00
	Balance Due	\$	0.00
2.	<b>1,213.00</b> of the filing fee has been paid.		
3.	The source of the compensation paid to me was:		
	□ Debtor ■ Other (specify): from Tottenville Commons LLC		
4.	The source of compensation to be paid to me is:		
	Debtor Other (specify): from Tottenville Commons LLC		
5.	■ I have not agreed to share the above-disclosed compensation with any other person unles	s they are memb	pers and associates of my law firm.
	□ I have agreed to share the above-disclosed compensation with a person or persons who as copy of the agreement, together with a list of the names of the people sharing in the comp		•
6.	In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the	ne bankruptcy ca	ase, including:
	<ul> <li>a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determine</li> <li>b. Preparation and filing of any petition, schedules, statement of affairs and plan which may</li> <li>c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any</li> <li>d. [Other provisions as needed]</li> </ul>	be required;	
7.	By agreement with the debtor(s), the above-disclosed fee does not include the following serv	ice:	

## CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: June 28, 2013	/s/ Yann Geron, Esq. YG	
	Yann Geron, Esq. YG 1130	
	Fox Rothschild LLP	
	100 Park Avenue,Suite 1500	
	New York, NY 10017	
	212-878-7901 Fax: (212) 692-0940	
	ygeron@foxrothschild.com	

In re

E.B. Realty Holding Corp

Debtor

Case No.		
Chapter	11	

Chapter\_

# LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Alice Noce 490 Drumgoole Road East Staten Island, NY 10312			20% Shareholder
Antonio Mandara 520 Sheldon Avenue Staten Island, NY 10312			20% Shareholder
Augusto Mandara 234 Bennett Avenue Staten Island, NY 10312			20% Shareholder
Emil Branchinelli 643 June Place North Woodmere, NY 11581			20% Shareholder
Joseph Noce 50 Weaver Street Staten Island, NY 10312			20% Shareholder

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

I, the Manager 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 June 28, 2013

Signature /s/ John Noce John Noce Manager

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

In re **E.B. Realty Holding Corp** 

Debtor(s)

Case No. Chapter 11

# VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: June 28, 2013	/s/ John Noce	
	John Noce/Manager	
	Signer/Title	
Date: June 28, 2013	/s/ Yann Geron, Esq. YG	
	Signature of Attorney	
	Yann Geron, Esq. YG 1130	
	Fox Rothschild LLP	
	100 Park Avenue,Suite 1500	
	New York, NY 10017	
	212-878-7901 Fax: (212) 692-0940	

AET Realty Holding Corp. 3700 Richmond Avenue Staten Island, NY 10312

Alice Noce 490 Drumgoole Road East Staten Island, NY 10312

Antonio Mandara 520 Sheldon Avenue Staten Island, NY 10312

Augusto Mandara 234 Bennett Avenue Staten Island, NY 10312

BDD Page Ave Restaurant 96 Page Ave. Staten Island, NY 10312

Cigar Vault Emporium, Inc 96 Page Ave. Staten Island, NY 10312

Dave Casale Bakery 96 Page Ave. Staten Island, NY 10312

Emil Branchinelli 643 June Place North Woodmere, NY 11581

G&N Cellular, Inc. 96 Page Avenue Staten Island, NY 10312

Giuseppina Mandara 234 Bennett Avenue Staten Island, NY 10312

John Noce 490 Drumgoole Road East Staten Island, NY 10312 Joseph Noce 50 Weaver Street Staten Island, NY 10312

Judy Branchinelli 643 June Place North Woodmere, NY 11581

Lisa Mandara 520 Sheldon Avenue Staten Island, NY 10312

Lisa Noce 50 Weaver Street Staten Island, NY 10312

NYC Department & Finance P.O. Box 680 Newark, NJ 07101-0680

Richmond Valley Plaza LLC 3700 Richmond Avenue Staten Island, NY 10312

TD Bank, N.A. 1701 Route 70 East Cherry Hill, NJ 08034

TM Real Estate Holdings 3700 Richmond Avenue Staten Island, NY 10312

Trinity HVAC 168 Lee Avenue Staten Island, NY 10307

In re E.B. Realty Holding Corp

Debtor(s)

Case No. Chapter

11

## CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **E.B. Realty Holding Corp** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

June 28, 2013

Date

# /s/ Yann Geron, Esq. YG

Yann Geron, Esq. YG 1130 Signature of Attorney or Litigant Counsel for E.B. Realty Holding Corp Fox Rothschild LLP 100 Park Avenue,Suite 1500 New York, NY 10017 212-878-7901 Fax:(212) 692-0940 ygeron@foxrothschild.com Case 1-13-44047-nhl Doc 1 Filed 06/28/13 Entered 06/28/13 16:36:02

## UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK

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

**DEBTOR(S):** E.B. Realty Holding Corp

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 eight 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:

### Case 1-13-44047-nhl Doc 1 Filed 06/28/13 Entered 06/28/13 16:36:02

DISCLOSURE OF RELATED CASES (cont'd) 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): **Y** 

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/ Yann Geron, Esq. YG Yann Geron, Esq. YG 1130 Signature of Debtor's Attorney Fox Rothschild LLP 100 Park Avenue,Suite 1500 New York, NY 10017 212-878-7901 Fax:(212) 692-0940

Signature of Pro Se Debtor/Petitioner

Signature of Pro Se Joint Debtor/Petitioner

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.