

Fill in this information to identify the case:

United States Bankruptcy Court for the:
Eastern District of New York
(State)

Case number *(if known)*: _____ Chapter 11

Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

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

1. Debtor's name New York Tire Factory Inc.

2. All other names debtor used in the last 8 years n/a

Include any assumed names, trade names, and *doing business* as names

3. Debtor's federal Employer Identification Number (EIN) 4 5 - 3 7 9 5 3 3 9

4. Debtor's address

| | |
|--|--|
| <p>Principal place of business</p> <p><u>25A Dubon Court</u> <small>Number Street</small></p> <hr/> <p><u>Farmingdale NY 11735</u> <small>City State ZIP Code</small></p> <hr/> <p><u>Nassau</u> <small>County</small></p> | <p>Mailing address, if different from principal place of business</p> <p>_____ <small>Number Street</small></p> <hr/> <p>P.O. Box _____</p> <hr/> <p>_____ <small>City State ZIP Code</small></p> <hr/> <p>Location of principal assets, if different from principal place of business</p> <p>_____ <small>Number Street</small></p> <hr/> <p>_____ <small>City State ZIP Code</small></p> |
|--|--|

5. Debtor's website (URL) www.newyorktirefactory.com

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: _____

Debtor New York Tire Factory Inc.
Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply:

- Tax-exempt entity (as described in 26 U.S.C. § 501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

4 4 1 3

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9
- Chapter 11. Check all that apply:
 - Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
 - The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
 - 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).
 - The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
 - The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
- Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

No

- Yes. District _____ When _____ Case number _____
MM / DD / YYYY
- District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

No

- Yes. Debtor _____ Relationship _____
District _____ When _____
MM / DD / YYYY
- Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor New York Tire Factory Inc. Case number (if known) _____
Name

11. Why is the case filed in this district? *Check all that apply:*

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? *(Check all that apply.)*

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
 What is the hazard? _____

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other _____

Where is the property? _____

Number Street

City State ZIP Code

Is the property insured?

No

Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds *Check one:*

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

| | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

| | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input checked="" type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor New York Tire Factory Inc.
Name

Case number (if known) _____

16. Estimated liabilities

- \$0-\$50,000
- \$1,000,001-\$10 million
- \$500,000,001-\$1 billion
- \$50,001-\$100,000
- \$10,000,001-\$50 million
- \$1,000,000,001-\$10 billion
- \$100,001-\$500,000
- \$50,000,001-\$100 million
- \$10,000,000,001-\$50 billion
- \$500,001-\$1 million
- \$100,000,001-\$500 million
- More than \$50 billion

Request for Relief, Declaration, and Signatures

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

17. Declaration and signature of authorized representative of debtor

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

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

Executed on 03/08/2017
MM / DD / YYYY

Signature of authorized representative of debtor

Title President

Richard Entel

Printed name

18. Signature of attorney

/s/ Michael S. Fox

Signature of attorney for debtor

Date 03/08/2017

MM / DD / YYYY

Michael S. Fox

Printed name

Olshan Frome Wolosky

Firm name

1325 Avenue of the Americas

Number Street

New York

City

NY

State

10019

ZIP Code

212-451-2277

Contact phone

mfox@olshanlaw.com

Email address

MF2612

Bar number

NY

State

Fill in this information to identify the case and this filing:

Debtor Name New York Tire Factory, Inc.
United States Bankruptcy Court for the: Eastern District of New York
(State)
Case number (if known): _____

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

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

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

Declaration and signature


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

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

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

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

Executed on 3/8/17
MM / DD / YYYY


Signature of individual signing on behalf of debtor

Richard Entel
Printed name
President
Position or relationship to debtor

Fill in this information to identify the case:

Debtor name: **New York Tire Factory Inc.**
 United States Bankruptcy Court for the: **Eastern District of New York**

Check if this is an amended filing

Case number (If known): _____

Official Form 204

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

12/15

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

| | Name of creditor and complete mailing address, including zip code | Name, telephone number, and email address of creditor contact | Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts) | Indicate if claim is contingent, unliquidated, or disputed | Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim. | | |
|---|---|---|---|--|--|---|-----------------|
| | | | | | Total claim, if partially secured | Deduction for value of collateral or setoff | Unsecured claim |
| 1 | Banner Tire Systems 358 Saw Mill River Rd. Millwood, NY 10546 | 914-984-2500 x6561 | Trade | | | | \$586,191.85 |
| 2 | Max Finkelstein Inc. 28-40 31st Street Long Island City, NY 11102 | 718-777-6200 | Trade | | | | \$499,084.55 |
| 3 | Future Tire Co. 202 Bethpage Sweet Rd. Old Bethpage, NY 11804 | 516-752-9200 | Trade | | | | \$205,923.61 |
| 4 | Trotta Tire & Rubber 111 West Industry Court Deer Park, NY 11729 | 631-242-0800 | Trade | | | | \$149,406.85 |
| 5 | JCA Ventures, Inc. c/o EH Euler Hermes Collection 800 Red Brook Blvd. Suite 400C Owings Mills, MD 21117 | John-Mark Patterson 410-753-0734 | Trade | | | | \$121,713.47 |
| 6 | American Express Bank, FSB 200 Vesey Street New York, NY 10285 | 855-298-1209 | Trade | | | | \$117,845.37 |

Debtor New York Tire Factory Inc.

Case number (if known) _____

Name

| | Name of creditor and complete mailing address, including zip code | Name, telephone number, and email address of creditor contact | Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts) | Indicate if claim is contingent, unliquidated, or disputed | Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim. | | |
|----|--|---|---|--|--|---|-----------------|
| | | | | | Total claim, if partially secured | Deduction for value of collateral or setoff | Unsecured claim |
| 7 | Commercial Rentals Management, Inc. 94-02 150th Street Jamaica, NY 11435 | Michael Bellino 516-354-6583 | Rent | | | | \$56,608.00 |
| 8 | Wex Fleet, Inc. 225 Gorham Road South Portland, ME 04106 | 800-395-0812 | Trade | | | | \$14,362.00 |
| 9 | Professional Sports Publications 570 Elmont Road Elmont, NY 11003 | 800-380-5563 | Trade | | | | \$12,000.00 |
| 10 | Sherwood Equities, L.P. 168 Milbar Boulevard Farmingdale, NY 11735 | 631-532-3902 | Rent | | | | \$11,608.99 |
| 11 | Broadview Networks c/o Brennan & Clark Ltd. 721 E. Madison Suite 200 Villa Park, IL 60181 | Daniel Roberts 630-279-7611 x6136 | Utility | | | | \$10,392.67 |
| 12 | Mettel Metropolitan Communications P.O. Box 1056 New York, NY 10268-1056 | 800-876-9823 | Trade | | | | \$6,791.78 |
| 13 | Motiva Networks c/o Capital Recovery Corp. 1111 Alderman Dr. Suite 495 Alpharetta, GA 30005-5437 | Michael Mancini 800-456-8448 x106 | Trade | | | | \$5,760.00 |
| 14 | Queens Chronicle 62-33 Woodhaven Blvd. P.O. Box 74-7769 Rego Park, NY 11374-7769 | 718-205-8000 | Trade | | | | \$5,200.00 |

Debtor New York Tire Factory Inc.

Case number (if known) _____

Name

| | Name of creditor and complete mailing address, including zip code | Name, telephone number, and email address of creditor contact | Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts) | Indicate if claim is contingent, unliquidated, or disputed | Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim. | | |
|----|--|---|---|--|--|---|-----------------|
| | | | | | Total claim, if partially secured | Deduction for value of collateral or setoff | Unsecured claim |
| 15 | Dell Business Credit P.O. Box 5275 Carol Stream, IL 60197-5275 | 866-413-3355 | Equipment Lease | | | | \$5,079.05 |
| 16 | Prime Lube Inc. P.O. Box 539 Carteret, NJ 07008 | 732-969-9200 | Auto Lease | | | | \$5,017.54 |
| 17 | NFP Corp. 45 Executive Drive Plainview, NY 11803-1703 | Jessica Calvacca 516-327-2846 Jessica.calvacca@nfp.com | Trade | | | | \$2,454.40 |
| 18 | Milstead Insurance Agency, Inc. 427 Cox Boulevard P.O. Drawer 730 Sheffield, AL 35660-0730 | 256-383-5011 | Insurance | | | | \$2,425.75 |
| 19 | Avaya Financial Services/CIT 21146 Network Place Chicago, IL 60673-1211 | 800-947-2093 | Trade | | | | \$2,405.11 |
| 20 | East Coast International Tire Group, Inc. Attn: Keith S. Barnett 325 Broadway, Suite 502 New York, NY 10007 | Keith Barnett 212-227-0999 ksblaw21@aol.com | Litigation | CUD | | | Undetermined |

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

In re:

New York Tire Factory Inc.,

Debtor.

Chapter 11

Case No.

VERIFICATION OF CREDITOR MATRIX/LIST OF CREDITORS

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

Dated: March 8, 2017

OLSHAN FROME WOLOSKY LLP

/s/ Michael S. Fox

Michael S. Fox, Esquire

Lauren B. Irby, Esquire

1325 Avenue of the Americas

New York, New York 10019

(212) 451-2300

mfox@olshanlaw.com

Proposed Counsel to the Debtor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

www.nye.uscourts.gov

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

DEBTOR(S): New York Tire Factory 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 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 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 PENDING: (YES/NO): _____ [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): _____

• SCHEDULE A/B: PROPERTY "OFFICIAL FORM 106A/B - INDIVIDUAL" PART 1 (REAL PROPERTY):
REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B - PART 1" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: _____

• SCHEDULE A/B: ASSETS - REAL PROPERTY "OFFICIAL FORM 206A/B - NON-INDIVIDUAL" PART 9 (REAL PROPERTY):
REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B - PART 9" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: _____

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

CASE PENDING: (YES/NO): _____ [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): _____

• SCHEDULE A/B: PROPERTY "OFFICIAL FORM 106A/B - INDIVIDUAL" PART 1 (REAL PROPERTY):
REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B - PART 1" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: _____

• SCHEDULE A/B: ASSETS - REAL PROPERTY "OFFICIAL FORM 206A/B - NON-INDIVIDUAL" PART 9 (REAL PROPERTY):
REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B - PART 9" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: _____

DISCLOSURE OF RELATED CASES (cont'd)

3. CASE NO.: _____ JUDGE: _____ DISTRICT/DIVISION: _____
CASE PENDING: (YES/NO): _____ [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): _____

- SCHEDULE A/B: PROPERTY "OFFICIAL FORM 106A/B - INDIVIDUAL" PART 1 (REAL PROPERTY):
REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B - PART 1" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: _____
- SCHEDULE A/B: ASSETS - REAL PROPERTY "OFFICIAL FORM 206A/B - NON-INDIVIDUAL" PART 9 (REAL PROPERTY): REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B - PART 9" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES:

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 pending or pending at any time, except as indicated elsewhere on this form.

/s/ Michael S. Fox
Signature of Debtor's Attorney

Signature of Pro-se Debtor/Petitioner
1325 Avenue of the Americas
Mailing Address of Debtor/Petitioner
New York, NY 10019
City, State, Zip Code
mfox@olshanlaw.com
Email Address
212-451-2277
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.