

United States Bankruptcy Court

Northern District of New York

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Friar Tuck Inn of the Catskills, Inc.	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 14-1515711	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): 4858 Route 32 Catskill, NY	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code 12414	ZIP Code
County of Residence or of the Principal Place of Business: Greene	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
ZIP Code	ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above): 4858 Route 32 Catskill, NY 12414	

Type of Debtor (Form of Organization) (Check one box)	Nature of Business (Check one box)	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)
<input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.

Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.	THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000	
Estimated Assets <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	

Voluntary Petition

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

Name of Debtor(s):

Friar Tuck Inn of the Catskills, Inc.**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

- None -

Case Number:

Date Filed:

District:

Relationship:

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

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

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☒ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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

Name of Debtor(s):

Friar Tuck Inn of the Catskills, Inc.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

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

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of a Foreign Representative

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

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

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

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

X _____
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Signature of Attorney*

X /s/ Sean C. Serpe SS
Signature of Attorney for Debtor(s)

Sean C. Serpe SS 6810

Printed Name of Attorney for Debtor(s)

Pelton Serpe LLP

Firm Name

111 Broadway
Floor 9

Address

Email: serpe@peltonserpe.com

(212) 725-3600 Fax: (212) 385-4600

Telephone Number

May 30, 2009

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

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

X /s/ Ross Caridi
Signature of Authorized Individual

Ross Caridi

Printed Name of Authorized Individual

Chief Executive Officer

Title of Authorized Individual

May 30, 2009

Date

United States Bankruptcy Court
Northern District of New York

In re **Friar Tuck Inn of the Catskills, Inc.**

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) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Central Hudson Gas & Elec. 284 South Avenue Poughkeepsie, NY 12601	Central Hudson Gas & Elec. 284 South Avenue Poughkeepsie, NY 12601			56,585.00
Constellation Energy 111 Market Place 12th Floor Baltimore, MD 21202	Constellation Energy 111 Market Place 12th Floor Baltimore, MD 21202			97,580.00
Cornerstone Tele. P.O. Box 509 Troy, NY 12181	Cornerstone Tele. P.O. Box 509 Troy, NY 12181			10,025.31
Ginsberg Foods P.O. Box 17 Route 66 Hudson, NY 12534	Ginsberg Foods P.O. Box 17 Route 66 Hudson, NY 12534			89,345.00
Greene County Town Tax 411 Main Street Catskill, NY 12414	Greene County Town Tax 411 Main Street Catskill, NY 12414	Property Tax		243,460.50
Greene County Town Tax 411 Main Street Catskill, NY 12414	Greene County Town Tax 411 Main Street Catskill, NY 12414	School Tax		152,126.50
Hess Energy New York Corp. c/o Cozen O'Connor 45 Broadway New York, NY 10006	Hess Energy New York Corp. c/o Cozen O'Connor 45 Broadway New York, NY 10006			265,873.00
Main Care Energy P.O. Box 11029 Albany, NY 12211	Main Care Energy P.O. Box 11029 Albany, NY 12211			43,129.88
Mid Hudson Cablevision P.O. Box 1354 Williston, VT 05495	Mid Hudson Cablevision P.O. Box 1354 Williston, VT 05495			8,409.00
Morgan Linen Services 33 North Street Saugerties, NY 12477	Morgan Linen Services 33 North Street Saugerties, NY 12477			38,866.00
N&S Supply 205 Old Route 9 Fishkill, NY 12524	N&S Supply 205 Old Route 9 Fishkill, NY 12524			4,666.18

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
NYS Insurance Fund P.O. Box 4788 Syracuse, NY 13221	NYS Insurance Fund P.O. Box 4788 Syracuse, NY 13221			5,392.00
Pepsi Cola P.O. Box 75948 Chicago, IL 60675	Pepsi Cola P.O. Box 75948 Chicago, IL 60675			4,750.00
Purchase Power P.O. Box 856042 Louisville, KY 40285	Purchase Power P.O. Box 856042 Louisville, KY 40285			11,233.01
Simm. Elev. Servs. 4892 Jockey Street Ballston Spa, NY 12020	Simm. Elev. Servs. 4892 Jockey Street Ballston Spa, NY 12020			10,573.00
Suburban Propane P.O. Box 720 Nashua, NH 03060	Suburban Propane P.O. Box 720 Nashua, NH 03060			7,302.88
Sysco Food Services of Alb. 1 Liebich Lane Clifton Park, NY 12065	Sysco Food Services of Alb. 1 Liebich Lane Clifton Park, NY 12065			60,107.00
Ulster Savings Bank P.O. Box 3337 Kingston, NY 12401	Ulster Savings Bank P.O. Box 3337 Kingston, NY 12401			3,132,745.00 (0.00 secured)
Wohrles Foods 1619 East Street Pittsfield, MA 01202	Wohrles Foods 1619 East Street Pittsfield, MA 01202			29,884.87
Wolberg Elec. P.O. Box 6309 Albany, NY 12206	Wolberg Elec. P.O. Box 6309 Albany, NY 12206			12,206.00

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

I, the Chief Executive Officer 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 May 30, 2009

Signature /s/ Ross Caridi
Ross Caridi
Chief Executive Officer

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.

Agrecolor Inc.
400 Sagamore Ave.
Mineola, NY 11501

Amer. Hotel Regis. Co.
100 S. Milwaukee Ave.
Vernon Hills, IL 60061

Catskill Valley Pools
Schoarie Turnpike
Athens, NY 12015

Central Hudson Gas & Elec.
284 South Avenue
Poughkeepsie, NY 12601

Constellation Energy
111 Market Place
12th Floor
Baltimore, MD 21202

Cornerstone Tele.
P.O. Box 509
Troy, NY 12181

Ecolabs Inc.
P.O. Box 905327
Charlotte, NC 28290

Empire Merchants
132 Flatbush Ave.
Kingston, NY 12401

Ginsberg Foods
P.O. Box 17
Route 66
Hudson, NY 12534

Greene County Town Tax
411 Main Street
Catskill, NY 12414

Herrington Lumber Co.
P.O. Box 709
Hillsdale, NY 12529

Hess Energy New York Corp.
c/o Cozen O'Connor
45 Broadway
New York, NY 10006

Home Depot Credit Servs.
P.O. Box 653001
Dallas, TX 75265

Main Care Energy
P.O. Box 11029
Albany, NY 12211

Mid Hudson Cablevision
P.O. Box 1354
Williston, VT 05495

Morgan Linen Services
33 North Street
Saugerties, NY 12477

N&S Supply
205 Old Route 9
Fishkill, NY 12524

NYS Dept. of Labor
Coll. Building 12
Room 256
Albany, NY 12240

NYS Insurance Fund
P.O. Box 4788
Syracuse, NY 13221

Pepsi Cola
P.O. Box 75948
Chicago, IL 60675

Pitney Bowes Fin.
P.O. Box 856460
Louisville, KY 40285

Poughkeepsie Journal
P.O. Box 822837
Philadelphia, PA 19182

Purchase Power
P.O. Box 856042
Louisville, KY 40285

Severn Trent Services
1961 Route 6
Carmel, NY 10512

Sherwin Williams Co.
44 Grandview Plaza
Catskill, NY 12414

Simm. Elev. Servs.
4892 Jockey Street
Ballston Spa, NY 12020

Southern Wine and Spirits
3063 Court Street
Syracuse, NY 13208

Suburban Propane
P.O. Box 720
Nashua, NH 03060

Sysco Food Services of Alb.
1 Liebich Lane
Clifton Park, NY 12065

Town of Catskill
439 Main Street
Catskill, NY 12414

Ulster Savings Bank
P.O. Box 3337
Kingston, NY 12401

Wilhelm Law Firm
P.O. Box 869
Clifton Park, NY 12065

Wohrles Foods
1619 East Street
Pittsfield, MA 01202

Wolberg Elec.
P.O. Box 6309
Albany, NY 12206

WP Morse Refrigeration
P.O. Box 133
Stephentown, NY 12168