B1 (Official Form 1) (1/08)

DI (Official Politi I) (1700)						ı .	
		Bankruptcy ( rict of New '				Volu	ıntary Petition
Name of Debtor (if individual, enter Last, First, N 225 Restaurant LLC		THE OF THEW		Joint Deb	for (Spouse) (Last, First	l	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  dba Lucy Brown's					sed by the Joint Debtor naiden, and trade names		years
Last four digits of Soc. Sec. or Individual-Taxpay EIN (if more than one, state all): 26-1183450	er I.D. (ITI	N) No./Complete			Soc. Sec. or Individual-7	axpayer I.D	). (ITIN) No./Complete
Street Address of Debtor (No. & Street, City, State 225 Varick Street	e & Zip Co	ode);	Street Ad	ldress of Jo	oint Debtor (No. & Stre	et, City, Stat	te & Zip Code):
New York, NY	ZIPCO	DE <b>10014</b>	$\dashv$				ZIPCODE
County of Residence or of the Principal Place of I New York			County o	f Residenc	e or of the Principal Pla	ce of Busine	css:
Mailing Address of Debtor (if different from street	t address)		Mailing A	Address of	Joint Debtor (if differe	nt from stree	et address):
	ZIPCO	DDE				Z	ZIPCODE
Location of Principal Assets of Business Debtor (	f different	from street address	above):				
225 Varick Street, New York, NY					1		ZIPCODE 10014
Type of Debtor (Form of Organization) (Check one box.)  Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities.	S   U   R   S   C	Nature of (Check of Jealth Care Business Jingle Asset Real Es J.S.C. § 101(51B) Jailroad Hockbroker Commodity Broker	ne box.)	in 11		n is Filed (Chap Reco Main Chap Reco	Code Under Which Check one box.) ter 15 Petition for gnition of a Foreign Proceeding ter 15 Petition for gnition of a Foreign nain Proceeding
check this box and state type of entity below.)		7 Outron		Nature of I (Check one			
Limited Liability Company  Debtor		Tax-Exen (Check box, i Debtor is a tax-exem Title 26 of the United Itemal Revenue Cox	f applicable.) pt organization I States Code (		Debts are primari debts, defined in I § 101(8) as "incur individual primari personal, family, c hold purpose."	y consumer 1 U.S.C. red by an ly for a	
Filing Fee (Check one	box)				Chapter 11 l	Debtors	
Full Filing Fee attached  Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.			Debtor Check if:	is a small is not a sr 's aggrega	business debtor as definall business debtor as debtor as te noncontingent liquidation 52,190,000.	defined in 1	1 U.S.C. § 101(51D).
Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			Check all  A plan  Accept	applicabl is being fi ances of th	led with this petition		om one or more classes of
Statistical/Administrative Information  Debtor estimates that funds will be available for Debtor estimates that, after any exempt proper distribution to unsecured creditors.				aid, there v	vill be no funds availab	le for	THIS SPACE IS FOR COURT USE ONLY
	] ,000- ,000	5,001-	0,001- 25,000	25,001- 50,000	50,001- 100,000	Over 100,000	
Estimated Assets			] 550,000,001 to 5100 million		0,001 \$500,000,001 million to \$1 billion	More than	
Estimated Liabilities	_	_	] 550,000,001 to 5100 million		0,001 \$500,000,001 million to \$1 billion	More than	

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ntary Petition page must be completed and filed in every case)  Name of Debtor(s): 225 Restaurant LLC		
Prior Bankruptcy Case Filed Within Last	8 Years (If more than two, attach	additional sheet)
Location Where Filed: <b>None</b>	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 mo	ore 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.	(To be completed whose debts are properties of the petitioner of that I have informed the petition chapter 7, 11, 12, or 13 of the explained the relief available under the petition of the pe	if debtor is an individual rimarily consumer debts.) named in the foregoing petition, declare ner that [he or she] may proceed under the 11, United States Code, and have need the act of the such chapter. I further certify the notice required by § 342(b) of the
Exhi  Does the debtor own or have possession of any property that poses or is or safety?  Yes, and Exhibit C is attached and made a part of this petition.	ibit C alleged to pose a threat of imminen	it and identifiable harm to public health
Exhi  (To be completed by every individual debtor. If a joint petition is filed, e  Exhibit D completed and signed by the debtor is attached and ma		ich a separate Exhibit D.)
If this is a joint petition:  Exhibit D also completed and signed by the joint debtor is attach	ed a made a part of this petition.	

and made	a part	oft	his petit	
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Page 2

B1 (Official Form 1) (1/08)

#### 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 or lessor that obtained judgment)

(Address of landlord or lessor)

- 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(1)).

# Voluntary Petition

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

Name of Debtor(s): 225 Restaurant LLC

#### 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 II, United State 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 I1 U.S.C. § 342(b).

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

Χ	
	Signature of Debtor
Χ	
	Signature of Joint Debtor
	Telephone Number (If not represented by attorney)

#### Signature of a Foreign Representative

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

(Check only one box.)

I request relief in accordance with chapter 15 of title 11,	United
States Code. Certified copies of the documents required by 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.

Χ	
	Signature of Foreign Representative
	Printed Name of Foreign Representative
	Date

### Signature of Attorney\*

## X /s/ Neal M. Rosenbloom Esq.

Signature of Attorney for Debtor(s)

Neal M. Rosenbloom Esq. Goldberg, Weprin, Finkel, Goldstein, L.L.P. 1501 Broadway, 22nd Floor New York, NY 10036 (212) 221-5700 Fax: (212) 422-6836 nrosenbloom@gwfglaw.com

#### February 5, 2010

Date

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.

Χ	/s/ Andrew Silverman
	Signature of Authorized Individual
	Andrew Silverman Printed Name of Authorized Individual
	Managing Member Title of Authorized Individual
	February 5, 2010

#### Signature of Non-Attorney 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); 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 a	ind title, if any	, of Bankruptcy	Petition :	Preparer

X

Date

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	
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	

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.

SOUTHERN DISTRICT OF NEV	W YORK	
In re:	X	Chapter 11
225 RESTAURANT LLC,		Case No.
	Debtor.	
	X	

# **LIMITED LIABILITY COMPANY RESOLUTION**

At a special meeting of the members of 225 Restaurant LLC (the "Company") held on February 4, 2010, and upon due consent and after motion duly made, seconded and unanimously carried, it is hereby:

**RESOLVED**, that the Company is authorized and empowered to cause the filing of a petition under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York, and that the same is in the best interests of the Company and its creditors and equity holders; and it is further

**RESOLVED**, that the Company is authorized to retain the firm of GOLDBERG WEPRIN FINKEL GOLDSTEIN LLP, as counsel for purposes of filing and prosecuting this Chapter 11 case.

Dated: New York, New York February 5, 2010

225 RESTAURANT LLC

Name: Andrew Silverman Title Managing Member NEAL M. ROSENBLOOM, ESQ. (NMR-5465) GOLDBERG WEPRIN FINKEL GOLDSTEIN LLP Attorneys for the Debtor 1501 Broadway, 22<sup>nd</sup> Floor New York, New York 10036 (212) 221-5700

UNITED STATES BANKRUPTCY CO SOUTHERN DISTRICT OF NEW YO	
In re:	Chapter 11
225 RESTAURANT LLC,	Case No.
Debte	
AFFIDAVIT PURSUANT	ΓΟ LOCAL BANKRUPTCY RULES
STATE OF NEW YORK )	
) ss.: COUNTY OF NEW YORK)	

Andrew Silverman, being duly sworn deposes and says:

- 1. I am the managing member of 225 Restaurant LLC (the "Debtor"), and as such I am familiar with the operations, business and financial affairs of the Debtor.
- 2. I submit this affidavit in accordance with the Local Bankruptcy Rules and in support of the voluntary petition filed by the Debtor under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code").
- 3. There is no pending bankruptcy case against the Debtor and this petition is filed as a voluntary Chapter 11 proceeding.

- 4. Pursuant to Bankruptcy Rule 1007(4), is a list containing the name, address, and amounts owed to the creditors holding the 20 largest unsecured claims against the Debtor. The Debtor has no secured claimants and no list is being filed.
- 5. In accordance with Local Bankruptcy Rules, a list containing the equity holders and members of the Debtor is attached hereto.
- 6. The Debtor owns a restaurant known as Lucy Brown's located at 225 Varick Street, New York, New York. The Debtor began business operations at the very end of December, 2007, at the start of the economic recession which has gripped our city and the nation at large. Unfortunately, the Debtor has not attained the business volume needed to operate profitably, and as such, the Debtor fell behind in monies owed to its creditors and, most prominently to its landlord. The landlord commenced a nonpayment eviction proceeding against the Debtor, and on January 27, 2010, a judgment of \$196,601.78 was entered against the Debtor for rent and additional rent owed through October, 2009. Rent and additional rent is owing to the landlord for November and December, 2009 and January and February, 2010. The Debtor has paid the landlord \$50,000.00 on account of the arrears.
- 7. This Chapter 11 case is being filed as an emergency petition to prevent the imminent entry of a warrant of eviction which would terminate the Debtor's lease and to give the Debtor the opportunity to reorganize its business operations under the auspices of Chapter 11 of the Bankruptcy Code. The Debtor's management are very experienced and successful restaurateurs in New York City and with the stay afforded by

the provisions by the Bankruptcy Code, the Debtor verily believes that it will be able to successfully reorganize and emerge from Chapter 11 of the Bankruptcy Code.

Andrew Silverman

Sworn to before me this

day of February, 2010

**NOTARY PUBLIC** 

Reg. No. 02DO6041111

Expires 5/1/10

Qualified in Suffolk County

# United States Bankruptcy Court Southern District of New York

IN RE:	Case No.
225 Restaurant LLC	Chapter 11
Debtor(s)	

# 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 and Fed. R. Bankr. P. 1007(m).

(1)  Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete address, including zip code, of employ or department of creditor familiar wit who may be contacted	ee, agent	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
The Rector, Church-Wardens And Vestrymen Of Trinity Church Box 5053 GPO New York, NY 10087	AMARIA CONTRACTOR CONT			Disputed	146,601.78
Silver & Company 155 E. 55th Street, Suite 300B New York, NY 10022	(212) 644-1222				14,450.00
Swede Farms 480 Alfred Avenue Teaneck, NJ 07666	(201) 862-9920				12,561.78
NYC Dept. Of Consumer Affairs Attn: Sidewalk Cafe 42 Broadway, 5th Floor - Room 15 New York, NY 10004					11,904.99
L. Kurtz Purveyor, Inc. 77 Seventh Avenue, Suite 21J New York, NY 10011	Larry Kurtz (212) 243-4629				9,724.59
Arrow Linen Supply Co., Inc. 467 Prospect Avenue Brooklyn, NY 11215	(718) 788-2000				9,556.50
Isabella City Carting Corp. 1564 Haight Avenue Bronx, NY 10461	(718) 824-8246				8,778.26
John's Market 1983 54th Street Brooklyn, NY 11204	(718) 258-8400 (718) 258-2170				6,988.03
Pest Elimination PO Box 1092 New York, NY 10013	(212) 945-0868				6,415.83
H&S Pacific Trading Corp. PO Box 485 Huntington Station, NY 11746	(631) 271-3854				6,045.04
Ecolab Inc. PO Box 905327 Charlotte, NC 28290-5327	(800) 352-5326				4,544.34
Imperial Bag & Paper Co., LLC General Post Office PO Box 27305					4,278.85
New York, NY 10087-7305 Pat La Frieda 601 Washington Street	(212) 929-2420				4,186.60

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Southern Wine & Spirits Of NY PO Box 9034 345 Underhill Boulevard Syosset, NY 11791	Adam Friedberg (857) 544-0607	3,293.23
Down East Seafood 311 Manida Street Bronx, NY 10474		3,268.76
John Zaborskis All City Rest. Upholstery 32 Lenevar Avenue Staten Island, NY 10309	(718) 227-4389	3,076.37
Kyra R. Simmonds 255 Spring Valley Avenue Hackensack, NJ 07601	Kyra R. Simmonds (201) 741-4713	3,072.25
Empire Merchants LLC 16 Bridgewater Street Brooklyn, NY 11222-9964	Lou Goldstein (917) 553-8213	1,737.16
Premier Electric Inc. 19 West 36th Street, 12th Floor New York, NY 10019	(212) 736-8811	1,654.01
Kobricks Coffee Company, Inc. 693 Luis Marin Boulevard Jersey City,, NJ 07310	Lee Kobrick (800) 562-7491	1,517.55

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

I, [the president or other officer or an authorized agent of the corporation][or a member or an authorized agent of the partnership] 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: February 5, 2010 Signature: /s/ Andrew Silverman

Andrew Silverman, Managing Member

(Print Name and Title)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re: Chapter 11

225 RESTAURANT LLC, Case No.

Debtor.

# **LIST OF EQUITY HOLDERS**

Dom Enterprise 10%

Jeffrey Tendler 25%

Andrew Silverman 65%

Executed on February <u>5</u>, 2010

225 RESTAURANT LLC

Name: Andrew Silverman

Title: Managing Member

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# United States Bankruptcy Court Southern District of New York

IN RE:		Case No.
225 Restaurant LLC		Chapter 11
	Debtor(s)	
	VERIFICATION OF CREDITOR MATRI	X
The above named debtor(s) hereby ver	rify(ies) that the attached matrix listing creditors	is true to the best of my(our) knowledge.
Date: February 5, 2010	Signature: /s/ Andrew Silverman Andrew Silverman, Managing Memb	er Debtor
	Andrew Suverman, Managing Memb	El Debiol
_		
Date:	Signature:	Joint Debtor, if any

All In One 664 10th Ave New York, NY 10036

Anheuser Busch Po Box 1639 Long Island City, NY 11101

Arrow Linen Supply Co., Inc. 467 Prospect Ave. Brooklyn, NY 11215

Balter Sales Company, Inc. 209 Bowery New York, NY. 10002

Balthazar Bakery 214 South Dean Street Englewood, NJ., 07631

BCD Distribution Po Box 2646 Lake Ronkonkoma, NY 11779

Big Apple Dairy Desserts PO Box 601 Lindenhurst New York 11757

Broadview Networks PO Box 9242 Uniondale NY 11555-9242

Coca Cola PO Box 4108 Boston, MA 02211-4108

Con Edison JAF Station P O Box 1702 New York, NY10116-1702 Covad Communications Dept. 33408 PO. Box 39000 San Francisco, CA. 94139-0001

D&A Refrigeration Inc 2565 Pearsall Inc Bronx NY 10469

Down East Seafood 311 Manida Street Bronx, NY. 10474

Ecolab Inc PO Box 905327 Charlotte NC 28290-5327

Empire Merchants LLC. 16 Bridgewater Street Brooklyn, NY. 11222-9964

H&S Pacific Trading Corp PO Box 485 Huntington Station, NY 11746

Hamco New York PO Box 538 West Hempstead, NY 11552

Heartland Food Products 1901 W 47th Place Ste210 Westwood, KS 66205-1834

Imperial Bag & Paper Co., LLC General Post Office PO.Box 27305 New York, NY. 10087-7305

Isabella City Carting Corp 1564 Haight Avenue Bronx NY 10461 John's Market 1983 54th Street Brooklyn, NY 11204

John Todd 1656 Hunt Avenue Bronx NY 10462

John Zaborskis All City Rest. Upholstery 32 Lenevar Ave SI, NY 10309

Jon-Da Printing Company 200 Hudson Street NY NY 10013

Kobricks Coffee Company, Inc. 693 Luis Marin Blvd. Jersey City, New Jersey 07310

Kyra R. Simmonds 255 Spring Valley Ave Hackensack, NJ 07601

L. Kurtz Purveyor, Inc. 77 Seventh Ave. Suite 21J New York, NY 10011

Martins Pastry Shoppe 1000 Potato Roll Lane Chambersburg, PA 17202

MenuPalace.com 250 Ferrand Drive, Suite 1503 Toronto. Ontario M3C 3G8

Michael Tyler Stationers Inc 200 Varick Street NY NY 10014 Nats Satellite Systems Inc 16 Orchard Ave Saint James NY 11780

New York Medical Supply & Safety Corp 242 West 30th St, 7th Floor New York, NY 10001

NYC Dept of Consumer Affairs Att: Side walk Cafe 42 Broadway 5th Fl. Rm15 New York NY 10004

Ottomanelli & Sons 285 Bleecker Street New York, NY., 10014

Pat La Frieda 601 Washington St. New York NY 10014

Pest Elimination PO Box 1092 NY NY 10013

Pickle King 220 Ellison St PO Box 2415 Paterson, NJ 07509

Pipe Dreams 857 Union St. 2-C Brooklyn, NY 11215

Premier Electric Inc 19 W 36st 12fl. New York NY 10019

Professional Appliance 211 E 120 St New York, NY 10035 Purelite Candle of New York 302 A West 12th St #303, New York NY 10014

Quill Corporation PO Box 37600 Philadelphia, PA 19101-0600

Sea Breeze Fish Mkt 541 Ninth Avenue NY NY 10018

Silfen-Berman Huntington 30 Central Avenue East Farmingdale, NY 11735

Silver & Company 155 E 55 St. Suite 300B NY NY 10022

Ski Beer Corp. 169 Gardner Avenue Brooklyn, NY., 11237

Southern Wine & Spirits of NY 345 Underhill Blvd. PO Box 9034 Syosset, NY., 11791-9034

Swede Farms 480 Alfred Ave. Teaneck, NJ., 07666

The Rector, Church-Wardens and Vestrymen of Trinity Church Box 5053 GPO Church Street Station New York, NY., 10087

Union Beer 1213 Grand St. Brooklyn, NY 11211-1811 Wesnik Inc 17 Flock Lane Levitown, NY 11756

# **Taxing Agencies**

NYS Dept. Taxation & Finance Bankruptcy/Special Procedures Section P.O. Box 5300 Albany, New York 12205-0300

NYS Unemployment Insurance Fund P.O. Box 551 Albany, New York 12201

NYC Dept. of Finance 345 Adams Street, 3<sup>rd</sup> Floor Attention: Legal Affairs – Devora Cohn Brooklyn, New York 11201

Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114