

# United States Bankruptcy Court

## Southern District of New York

# Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): 199 Bowery Rest. Group, LLC	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) 55-0826523	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): 199 Bowery New York, NY <div style="text-align: right;">ZIP Code 10002</div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right;">ZIP Code</div>
County of Residence or of the Principal Place of Business: New York	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):	

<b>Type of Debtor</b> (Form of Organization) (Check one box)	<b>Nature of Business</b> (Check one box)	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (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 <div style="margin-top: 10px;"> <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         </div>
<b>Tax-Exempt Entity</b> (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).		<b>Nature of Debts</b> (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.

<b>Filing Fee</b> (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.	<b>Chapter 11 Debtors</b> 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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<b>Statistical/Administrative Information</b> <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
<b>Estimated Number of Creditors</b> <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> 1-49  <input type="checkbox"/> 50-99  <input type="checkbox"/> 100-199  <input type="checkbox"/> 200-999         </div> <div> <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         </div> </div>	
<b>Estimated Assets</b> <div style="display: flex; justify-content: space-between;"> <div> <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         </div> <div> <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         </div> </div>	
<b>Estimated Liabilities</b> <div style="display: flex; justify-content: space-between;"> <div> <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         </div> <div> <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         </div> </div>	

**Voluntary Petition**

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

Name of Debtor(s):

199 Bowery Rest. Group, LLC

**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):

199 Bowery Rest. Group, 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 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 Attorney\***

**X** /s/ Gabriel Del Virginia, Esq.  
Signature of Attorney for Debtor(s)

Gabriel Del Virginia, Esq. (GDV-4951)  
Printed Name of Attorney for Debtor(s)

LAW OFFICES OF GABRIEL DEL VIRGINIA  
Firm Name

488 Madison Avenue,  
19th Floor,  
New York, NY 10022

\_\_\_\_\_  
Address

Email: gabriel.delvirginia@verizon.net  
212-371-5478 Fax: 212-371-0460

\_\_\_\_\_  
Telephone Number

March 17, 2010

\_\_\_\_\_  
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/ Nancy Brady  
Signature of Authorized Individual

Nancy Brady

\_\_\_\_\_  
Printed Name of Authorized Individual

Managing Member

\_\_\_\_\_  
Title of Authorized Individual

March 17, 2010

\_\_\_\_\_  
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.*

**United States Bankruptcy Court**  
**Southern District of New York**

In re 199 Bowery Rest. Group, LLC

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>
American Society of Comp. Authors & Pub	American Society of Comp. Authors & Pub	Trade		2,719.55
Annheuser Busch 200 US Highway 1&9 Newark, NJ 07114	Annheuser Busch 200 US Highway 1&9 Newark, NJ 07114	Trade		12,837.90
Arch Insurance Group c/o Jeffrey Ward, Esq. 330 Seventh Avenue-15th Floor New York, NY 10001	Arch Insurance Group c/o Jeffrey Ward, Esq. 330 Seventh Avenue-15th Floor New York, NY 10001	Unpaid insurance deductibles.	Contingent Unliquidated Disputed	174,575.00
Bowery at Spring Partners, LP c/o Cornicello, Tendler, Esqs 2 Wall Street New York, NY 10005	Bowery at Spring Partners, LP c/o Cornicello, Tendler, Esqs 2 Wall Street New York, NY 10005	Lease obligations	Contingent Unliquidated Disputed Subject to Setoff	114,672.72
Broadcast Music, Inc 320 West 57th Street New York, NY 10019	Broadcast Music, Inc 320 West 57th Street New York, NY 10019	Trade		8,832.90
Citi Urban Management 6 Grace Av Suite 400 Great Neck, NY 11021	Citi Urban Management 6 Grace Av Suite 400 Great Neck, NY 11021	Trade		429,801.54
Citysearch 8833 West Sunset Blvd West Hollywood, CA 90069	Citysearch 8833 West Sunset Blvd West Hollywood, CA 90069	Trade		10,325.25
Con Edison 4 Irving Place New York, NY 10016	Con Edison 4 Irving Place New York, NY 10016	Utility		25,057.09
Conca D'Oro-Food 510 Route 9 Lanoka Harbor, NJ 08734	Conca D'Oro-Food 510 Route 9 Lanoka Harbor, NJ 08734	Trade		6,117.45
Edward Brady 199 Bowery 12a New York, NY 10002	Edward Brady 199 Bowery 12a New York, NY 10002	Loan		13,834.67

In re 199 Bowery Rest. Group, LLC

Case No. \_\_\_\_\_

Debtor(s)

**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>
First Insurance Funding Corp	First Insurance Funding Corp			37,997.99
Gran Gusto Food, Inc. 22 De Hart Ave Staten Island, NY 10302	Gran Gusto Food, Inc. 22 De Hart Ave Staten Island, NY 10302	Trade		4,373.00
Lawrence Longergan	Lawrence Longergan	Legal services		10,318.00
Longbeach Lot 3 LLC c/o Jerry Feurstein, Esq. 360 Lexington Ave New York, NY 10022	Longbeach Lot 3 LLC c/o Jerry Feurstein, Esq. 360 Lexington Ave New York, NY 10022		Contingent Unliquidated Disputed	750,000.00
Nancy Brady 199 Bowery 2F New York, NY 10002	Nancy Brady 199 Bowery 2F New York, NY 10002	Loan		48,200.00
New York State Insurance Fund	New York State Insurance Fund	Utility		11,241.91
Park Ave Bank 460 Park Avenue New York, NY 10022	Park Ave Bank 460 Park Avenue New York, NY 10022		Unliquidated Disputed	500,000.00  (0.00 secured)
Premium Assignment Corp.	Premium Assignment Corp.	Trade		11,203.01
Rewards Network 300 South Park Road 3rd flr Hollywood, FL 33021	Rewards Network 300 South Park Road 3rd flr Hollywood, FL 33021	Loan		106,266.30
Travelers	Travelers	Utility		5,128.50

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

I, the Managing Member 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 March 17, 2010Signature /s/ Nancy Brady

Nancy Brady

Managing Member

*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.



AMERICAN SOCIETY OF  
COMP. AUTHORS & PUB

ANNHEUSER BUSCH  
200 US HIGHWAY 1&9  
NEWARK, NJ 07114

ARCH INSURANCE GROUP  
C/O JEFFREY WARD, ESQ.  
330 SEVENTH AVENUE-15TH FLOOR  
NEW YORK, NY 10001

BEVERAGE WORKS  
1800 ROUTE 34  
SUITE 402  
BELMAR, NJ 07719

BOWERY AT SPRING PARTNERS, LP  
C/O CORNICELLO, TENDLER, ESQS  
2 WALL STREET  
NEW YORK, NY 10005

BROADCAST MUSIC, INC  
320 WEST 57TH STREET  
NEW YORK, NY 10019

CARLYLE SOHO EAST TRUST

CITI URBAN MANAGEMENT  
6 GRACE AV  
SUITE 400  
GREAT NECK, NY 11021

CITI URBAN MANAGEMENT

CITYSEARCH  
8833 WEST SUNSET BLVD  
WEST HOLLYWOOD, CA 90069

CON EDISON  
4 IRVING PLACE  
NEW YORK, NY 10016

CONCA D'ORO-FOOD  
510 ROUTE 9  
LANOKA HARBOR, NJ 08734

DAVID E. FRAZER, ESQ.  
15 MAIDEN LANE-1700  
NEW YORK, NY 10038-4003

EDWARD BRADY  
199 BOWERY 12A  
NEW YORK, NY 10002

FIRST INSURANCE FUNDING CORP

GRAN GUSTO FOOD, INC.  
22 DE HART AVE  
STATEN ISLAND, NY 10302

INTERNAL REVENUE SERVICE  
290 BROADWAY-5TH FLOOR  
NEW YORK, NY 10007

KENNETH DERIGGI  
C/O ABRAHAM LERNER ARNOLD  
292 MADISON AVENUE  
NEW YORK, NY 10017

LAWRENCE LONGERGAN

Longbeach Lot 3 LLC  
C/O Jerry Feurstein, Esq.  
360 Lexington Ave  
New York, NY 10022

N.Y. STATE DEPARTMENT OF TAXAT  
WA HARRIMAN STATE CAMPUS  
ALBANY, NY 12205

NANCY BRADY  
199 BOWERY 2F  
NEW YORK, NY 10002



NEW YORK STATE INSURANCE FUND

NYC DEPARTMENT OF TAXATION  
55 HANSON PLACE  
BROOKLYN, NY 11217

PARK AVE BANK  
460 PARK AVENUE  
NEW YORK, NY 10022

PARK AVE BANK  
460 PARK AVENUE  
NEW YORK, NY 10022

PREMIUM ASSIGNMENT CORP.

REWARDS NETWORK  
300 SOUTH PARK ROAD  
3RD FLR  
HOLLYWOOD, FL 33021

TRAVELERS

ZURICH DEDUCTIBLE RECOVERY  
GROUP

**United States Bankruptcy Court  
Southern District of New York**

In re 199 Bowery Rest. Group, LLC

Debtor(s)

Case No. \_\_\_\_\_

Chapter 11

**STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION**

I, Nancy Brady, declare under penalty of perjury that I am the Managing Member of 199 Bowery Rest. Group, LLC, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said company at a special meeting duly called and held on the 16th day of March, 2002..

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

Be It Therefore Resolved, that Nancy Brady, Managing Member of this company is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the company ; and

Be It Further Resolved, that Nancy Brady, Managing Member of this company is authorized and directed to appear in all bankruptcy proceedings on behalf of the company , and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the company in connection with such bankruptcy case, and

Be It Further Resolved, that Nancy Brady, Managing Member of this company is authorized and directed to employ Gabriel Del Virginia, Esq. (GDV-4951), attorney and the law firm of LAW OFFICES OF GABRIEL DEL VIRGINIA to represent the company in such bankruptcy case."

Date March 16, 2010

Signed /s/ Nancy Brady  
Nancy Brady