12-22133-rdd Doc 1 Filed 01/24/12 Entered 01/24/12 10:30:57 Main Document Pg 1 of 8

B1 (Official Form 1) (12/11) UNITED STATES BANKRUPTCY COURT **VOLUNTARY PETITION** Southern District of New York Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): New Villa Corp. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): (if more than one, state all): 27-4663797 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 134 North Avenue New Rochelle, NY ZIP CODE 10801 ZIP CODE County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Westchester 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): ZIP CODE Chapter of Bankruptcy Code Under Which Type of Debtor Nature of Business (Form of Organization) (Check one box.) the Petition is Filed (Check one box.) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Н Individual (includes Joint Debtors) Single Asset Real Estate as defined in Chapter 9 Recognition of a Foreign See Exhibit D on page 2 of this form. 11 U.S.C. § 101(51B) Chapter 11 Main Proceeding Corporation (includes LLC and LLP) Railroad Chapter 12 Chapter 15 Petition for Partnership Stockbroker Chapter 13 Recognition of a Foreign Other (If debtor is not one of the above entities, check Commodity Broker Nonmain Proceeding this box and state type of entity below.) Clearing Bank Other **Chapter 15 Debtors** Tax-Exempt Entity Nature of Debts (Check box, if applicable.) (Check one box. Country of debtor's center of main interests: ☐ Debts are primarily consumer Debts are Debtor is a tax-exempt organization debts, defined in 11 U.S.C. primarily Each country in which a foreign proceeding by, regarding, or under title 26 of the United States § 101(8) as "incurred by an business debts. against debtor is pending: Code (the Internal Revenue Code). individual primarily for a personal, family, or household purpose.' Filing Fee (Check one box.) Chapter 11 Debtors Check one hox: \mathbf{Z} Full Filing Fee attached. Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). 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 Check if: unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. \mathbf{Z} Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment Filing Fee waiver requested (applicable to chapter 7 individuals only). Must on 4/01/13 and every three years thereafter). attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes: 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) Statistical/Administrative Information THIS SPACE IS FOR COURT; USE ONLY Z Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. **Estimated Number of Creditors** 1-49 50-99 100-199 200-999 1.000-5.001-10.001-25,001-50,001-Over 5,000 10,000 25,000 50,000 100,000 100,000... Estimated Assets \mathbf{Z} \$50,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$100,001 to \$500,000,001 More than \$0 to \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million million million million million **Estimated Liabilities** \mathbf{V} п \$50,001 to \$100,001 to \$1,000,001 100,000,011 \$50,000,001 100,000,001 \$500,001 \$500,000,001 \$0 to More than \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million

12-22133-rdd Doc 1 Filed 01/24/12 Entered 01/24/12 10:30:57 Main Document Pg 2 of 8

B1 (Official Form 1) (12/11) Page 2 Voluntary Petition Name of Debtor(s): New Villa Corp. (This page must be completed and filed in every case.) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) Case Number: Date Filed: Where Filed: Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.) Name of Debtor: Case Number: Date Filed: District: Relationship: Judge: Exhibit A Exhibit B (To be completed if debtor is required to file periodic reports (e.g., forms 10K and (To be completed if debtor is an individual 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) whose debts are primarily consumer debts.) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) 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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b). Exhibit A is attached and made a part of this petition. 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.) V 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 with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

12-22133-rdd Doc 1 Filed 01/24/12 Entered 01/24/12 10:30:57 Main Document Pg 3 of 8

B1 (Official Form 1) (12/11) Page 3 Name of Debtor(s): New Villa Corp. Voluntary Petitlon (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 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. [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 (Check only one box.) or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. ☐ I request relief in accordance with chapter 15 of title 11, United States Code. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I Certified copies of the documents required by 11 U.S.C. § 1515 are attached. have obtained and read the notice required by 11 U.S.C. § 342(b). Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States Code, chapter of title 11 specified in this petition. A certified copy of the specified in this petition. order granting recognition of the foreign main proceeding is attached. Signature of Debtor (Signature of Foreign Representative) Х Signature of Joint Debtor (Printed Name of Foreign Representative) Telephone Number (if not represented by attorney) Date Date Signature of Attorney* Signature of Non-Attorney Bankruptcy Petition Preparer X I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as Signature of Attorney for Debtor(s) 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 Printed Name of Attorney for Debtor(s) 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 Firm Name fee for services chargeable by bankruptey 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 Address Manuel B. Vidal, Jr. Telephone Number Printed Name and title, if any, of Bankruptcy Petition Preparer Date 074-36-2225 Social-Security number (If the bankruptcy petition preparer is not an individual, *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a state the Social-Security number of the officer, principal, responsible person or certification that the attorney has no knowledge after an inquiry that the information partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) in the schedules is incorrect. Signature of Debtor (Corporation/Partnership) 149th St., Bronx, NY 10451 I declare under penalty of perjury that the information provided in this petition is true Address and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests the relief in accordance with the chapter of title 11, United States Signature Code, specifi in this petition 01/23/2012 Signature of Authorized Individual Chantel Rodriguez Signature of bankruptcy petition preparer or officer, principal, responsible person, or Printed Name of Authorized Individual partner whose Social-Security number is provided above. President Title of Authorized Individual Names and Social-Security numbers of all other individuals who prepared or assisted 01/23/2012 in preparing this document unless the bankruptcy petition preparer is not an Date 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.

Power of Attorney

I, Chantel Rodriguez, do hereby give Power of Attorney to

Manuel B. Vidal, Jr. to sign my name to any and all papers that are part and parcel

of the US Bankruptcy Petition under Chapter 11 to be filed in the Southern District

of New York.

Chantel Rodriguez

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:)
New Villa Cor	p.)
Debtor)

AFFIDAVIT OF CHANTEL RODRIGUEZ, PRESDIENT OF NEW FILLA CORP. PURSUANT TO RULE 1007-2 OF THE LOCAL BANKRUPTCY RULES FOR THE SOUTHER DISTRICT OF NEW YORK IN SUPPORT OF CHAPTER 11PETITION

1. I respectfully submit this Affidavit pursuant to Rule 1007-2 of the Local Bankruptcy Rules for the Southern District of New York (the "Local Rules"). Except as otherwise indicated, all facts set forth in this Affidavit are based upon my personal knowledge and my review of relevant documents.

The Debtor's Business

- 2. Debtor, a Corporation organized under the laws of the State of New York, which entity maintains its principal place of business at 134 North Avenue, New Rochelle, New York 10801.
- 3. Debtor was formed to acquire, own and manage a liquor store.

Events leading to the Chapter 11 Filing

- 4. Debtor was a victim of legal malpractice rendered by an attorney (Debtor is exploring the possibilities of a lawsuit against him). Said was paid in full by Debtor to prepared a liquor license application. However, a review of the application prepared by said attorney establishes beyond doubt that the application is severely deficient. Debtor has again filed an application with the New York State Liquor Authority and will receive a Temporary 90 Permit with 10 day from submission thereof.
- 5. In light thereof, Debtor has determined that it is in its best interest to file this Chapter 11 to preserve and maximize the value of the assets and continue operating the business to pay the landlord arrears due.
- 7. The Debtor seeks to stay forthwith eviction from Debtor's premises by landlord for rent, which landlord claims is in the approximate amount of \$12,000.00
- 8. Moreover, Debtor is convinced that the business in question is profitable and capable of sustaining consistent revenues and increasing revenues and the principal thereof can reach out to lenders to satisfy rent due.

- 9. In accordance with Local Rule 1007-2(a) (2) and to the best of my knowledge, information and belief, no case has previously been filed by or against the Debtor under Chapters 7, 11, 13, or any other provision of the Bankruptcy Code.
- 10. In accordance with Local Rule 1007-2(a) (3) and to the best of my knowledge, information and belief, no creditors' committee was organized before the Petition Date.
- 11. In accordance with Local Rules 1007-2 (a) (4) and (5), and to the best of my knowledge, information, and belief, Debtor has one unsecured creditor.
- 12. In accordance with Local Rule 1007-2 (a) (6), the following is a summary of Debtor's assets and liabilities. Debtor's books and records reflect that it currently has in its name only one assets: Furniture and fixtures and equipment existing at Debtor's premises.
- 13. Debtor's books and records further reflect that Debtor's liabilities are as follows:

One creditor, the landlord of the premises whre Debtor operates its business.

- 14. In accordance with Local Rules 1007-2 (a) (7), Debtor is not a publically held company.
- 15. In accordance with Local Rules 1007-2 (a) (8), and to the best of my knowledge, information and belief, no property of Debtor is in possession or custody of any custodian, public officer, receiver, trustee, assignee for the benefit of creditors, mortgages, pledge, assignee of rents, secured creditor, or any agent for any of the foregoing.
- 16. In accordance with Local Rules 1007-2 (a) (9), and to the best of my knowledge, information, and belief, Debtor's lease is in full force for its premises at
- 17. Books and records of Debtor are in its possession at 134 North Avenue, New Rochelle, New York 10801.
- 18. In accordance with Local Rules 1007-2 (a) (11), and to the best of my knowledge, information and belief, certain actions are currently pending against Debtor, as follows:

An eviction notice from the landlord.

- 19. Debtor's senior management is comprised of its president and the business daily operations manger is Chantel Rodriguez.
- 20. Debtor's business will continue to operate. As such, the following represents the estimated amount of expenses for the 30 days following the Chapter 11 Petition:

(1) Estimated amount of weekly payroll to employees (exclusive of officers, directors, and stockholders):

\$ -0-

Estimated amount to be paid to suppliers:

\$ -0-

Estimated rent payment:

\$ 2,800.00

Estimated utilities payment:

\$ 230.00

Total Estimated Expenses:

\$ 3,030.00

21. The following represents an estimate of net receipts for the business for the 30 days following the Chapter 11 Petition. Debtor's business income is 100% in cash:

(1) Cash Receipts:

\$ -0-

Total Estimated Income:

\$ 30,000.00 (From Loans)

Net Profit

\$ -0-

Debtor declares, under penalty of perjury, that this Corporate Ownership Statement is true and correct.

Chantel Rodrigue

President Debtor

CORPORATE RESOLUTION

I, Chantel Rodriguez, President of New Villa Corp., a corporation organized and existing under the laws of the State of New York (the "Company"), do hereby certify that the following is a true and correct copy of a resolution duly adopted on January 23, 2012, at which meeting a duly constituted quorum of the Directors was present and acting throughout and that such resolution has not been modified, rescinded or revoked and is at present in full force and effect.

RESOLVED, That Chantal Rodriguez, the President of New Villa Corp., is empowered and authorized to execute and file in the name and on behalf of this Company a voluntary petition, under Chapter 11 this 23rd day of January, 2012.

IN WITNESS WHEREOF, the undersigned has affixed his signature and the corporate seal of the Company this 23rd day of January 2012.

Chantel Rodriguez
President and Secretary