B1 (Official 202353419dd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document United States Bankruptcy Co**kg**t1 of 39 Southern District of New York **Voluntary Petition** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): CONSTRUCTION ESSENTIALS EXPRESS LLC All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more than one, state all): than one state all): 14-1903441 Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 410 South 10th Avenue Mount Vernon, NY ZIP CODE 10550 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): CONSTRUCTION ESSENTIALS EXPRESS LLC C/O DENISE HALL 3224 GUNTHER AVENUE BRONX, NY ZIP CODE ZIP CODE 10469 ocation of Principal Assets of Business Debtor (if different from street address above) 410 South 10th Avenue, Mount Vernon, NY ZIP CODE 10550 Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (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 Single Asset Real Estate as defined in Individual (includes Joint Debtors) Recognition of a Foreign Chapter 9 11 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding V Railroad M Chapter 11 Corporation (includes LLC and LLP) ☐ Chapter 15 Petition for Stockbroker Partnership Chapter 12 Recognition of a Foreign Commodity Broker Other (If debtor is not one of the above entities, Nonmain Proceeding Chapter 13 check this box and state type of entity below.) Clearing Bank Nature of Debts Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose. Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ 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 unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on Filing Fee waiver requested (applicable to chapter 7 individuals only). Must 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 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 V 100-200-50-1.000-5.001-10,001-25,001-50.001-Over 49 999 99 199 5,000 10,000 25,000 50,000 100,000 100,000 Estimated Assets Z \$0 to \$50,001 to \$100,001 to \$50,000,001 \$100,000,001 \$500,001 to \$1,000,001 \$10,000,001 \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$10 to \$50 to \$100 to \$500 \$1 to \$1 billion \$1 billion million million million million Estimated Liabilities \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$100,001 to \$0 to \$500,000,001 More than \$1 to \$10 to \$50 to \$100 to \$500 \$50,000 \$100,000 \$500,000 to \$1 billion \$1 billion million million million million million

1 (Official 등학생성 1일이 Doc 1 Filed 08/22/12 F	ntered 08/22/12 10:34:51 Ma 2\of 39Debtor(s):	ain Document <sup>wi BI, Pa</sup>
(This page must be completed and filed in every case)	CONSTRUCTION ESSENTIALS EXPI	RESS LLC
All Prior Bankruptcy Cases Filed Within La	ast 8 Years (If more than two, attach additional sheet	
Location	Case Number:	Date Filed:
Where Filed: NONE Location	Case Number;	Date Filed:
Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner o	y Affiliate of this Dobtoy /If more than one ottach	additional about)
Name of Debtor:	Case Number:	Date Filed:
NONE	Polyticachin	23
Vistriet:	Relationship:	Judge:
Exhibit A	Exhibit B	
(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)	(To be completed if debtor is whose debts are primarily co	
of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	I, the attorney for the petitioner named in the foreg have informed the petitioner that [he or she] may p	
	12, or 13 of title 11, United States Code, and have available under each such chapter. I further certify debtor the notice required by 11 U.S.C. § 342(b).	explained the relief
Exhibit A is attached and made a part of this petition.	X Not Applicable	
	Signature of Attorney for Debtor(s)	Date
Ex	hibit C	
Does the debtor own or have possession of any property that poses or is alleged to pose		nealth or safety?
Yes, and Exhibit C is attached and made a part of this petition.	·	
☑ No	W. CONSTRUCTION OF THE PROPERTY OF THE PROPERT	
Ext	hibit D	
To be completed by every individual debtor. If a joint petition is filed, each spouse mu	ust complete and attach a separate Exhibit D.)	
Exhibit D completed and signed by the debtor is attached and made a part of	this petition.	
f this is a joint petition:		
Exhibit D also completed and signed by the joint debtor is attached and made	e a part of this petition.	
Information Regar	ding the Debtor - Venue  applicable box)	· · · · · · · · · · · · · · · · · · ·
Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180	e of business, or principal assets in this District for 180	days immediately
There is a bankruptcy case concerning debtor's affiliate, general p	partner, or partnership pending in this District.	
Debtor is a debtor in a foreign proceeding and has its principal pl has no principal place of business or assets in the United States b this District, or the interests of the parties will be served in regard	out is a defendant in an action or proceeding [in a feder	
	des as a Tenant of Residential Property pplicable boxes.)	
Landlord has a judgment against the debtor for possession of deb	stor's residence. (If box checked, complete the following	ng).
	(Name of landlord that obtained judgment)	<u></u>
	(Address of landlord)	to the second se
Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possess	e circumstances under which the debtor would be pern	
Debtor has included in this petition the deposit with the court of a filing of the petition.	any rent that would become due during the 30-day per	iod after the
Debtor certifies that he/she has served the Landlord with this cert	tification, (11 U.S.C. § 362(1)).	

oluntary Petition Pg	ntered 08/22/12 10:34·51 Main Documerli <sup>M B1, Pag</sup> 3เลte39bebtor(s):
(This page must be completed and filed in every case)	CONSTRUCTION ESSENTIALS EXPRESS LLC
Sign	atures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
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 hosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 r 13 of title 11, United States Code, understand the relief available under each such hapter, and choose to proceed under chapter 7. f no attorney represents me and no bankruptcy petition preparer signs the petition] I ave obtained and read the notice required by 11 U.S.C. § 342(b).  request relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X Not Applicable  Signature of Debtor  X Not Applicable  Signature of Joint Debtor  Telephone Number (If not represented by attorney)  Date  Signature of Attorney  X  Signature of Attorney for Debtor(s)  Printed Name of Attorney for Debtor(s) / Bar No.	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 § 1515 of title 11 are attached.  Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.  X Not Applicable  (Signature of Foreign Representative)  Output  The Chapter of Non-Attorney Petition Preparer  I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defining 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
AKHILESH KRISHNA, ESQ Firm Name 127-21 Liberty Avenue Richmond Hill, NY 11419 Address 718-304-7590 Telephone Number	maximum amount before preparing any document for filing for a debtor or accepting a fee from the debtor, as required in that section. Official Form 19 is attached.  Not Applicable  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.)
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.	Address  X Not Applicable
Signature of Debtor (Corporation/Partnership)  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 ebtor.  The debtor requests the relief in accordance with the chapter of title 11, United States code, specified in this petition.  Signature of Authorized Individual  President  Title of Authorized Individual  Date	Date Signature of bankruptcy petition preparer or officer, principal, responsible person, of 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 at individual.  If more than one person prepared this document, attach to the appropriate official form for each person.  A bankruptcy petition preparer's failure to comply with the provisions of title 11 are the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Combined Realty LLC /Combined. Inv. C/O EINIG & BUSH LLC 420 Lexington Avenue Suite 2320 NY, NY 10170

Con Edison

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 5 of 39

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

in re:	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.
	Debtor	Chapter 11

## **VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of 1 sheet(s) is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated:

Signed:

Signed:

**DENISE HALL** 

Attorney for Debtor(s)

Bar no.:

AKHILESH KRISHNA, ESQ 127-21 Liberty Avenue Richmond Hill, NY 11419

Telephone No.: **718-304-7590** Fax No.: **718-843-2192** 

E-mail address:

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 6 of 39

## **UNITED STATES BANKRUPTCY COURT Southern District of New York**

In re: CONSTRUCTION ESSENTIALS EXPRESS LLC

Case No.	

Chapter 11

	BUSINESS INCOME AI	<b>ND EXPE</b>	NSE	S		
	FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONL)	Y INCLUDE infor	rmation -	directly related to	the business	3
operatior						
PART A	- GROSS BUSINESS INCOME FOR PREVIOUS 12 MONTHS:					
1.	Gross Income For 12 Months Prior to Filing:	5	\$	39,000.00		
PART B	- ESTIMATED AVERAGE FUTURE <u>GROSS</u> MONTHLY INCOME:					
2.	Gross Monthly Income:				\$	3,833.00
PART C	- ESTIMATED FUTURE MONTHLY EXPENSES:					
4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18.	Net Employee Payroll (Other Than Debtor) Payroll Taxes Unemployment Taxes Worker's Compensation Other Taxes Inventory Purchases (Including raw materials) Purchase of Feed/Fertilizer/Seed/Spray Rent (Other than debtor's principal residence) Utilities Office Expenses and Supplies Repairs and Maintenance Vehicle Expenses Travel and Entertainment Equipment Rental and Leases Legal/Accounting/Other Professional Fees Insurance Employee Benefits (e.g., pension, medical, etc.) Payments to Be Made Directly By Debtor to Secured Creditors For Pre-Petition Business Debts (Specify): None Other (Specify):		\$	0.00 0.00 0.00 0.00 1,670.00 0.00 85.00 0.00 1,100.00 500.00 400.00 0.00 0.00 50.00 125.00 0.00		
			***************************************		_	
	Total Monthly Expenses (Add items 3 - 21)				\$	3,930.00
PART D	- ESTIMATED AVERAGE <u>NET</u> MONTHLY INCOME:					
23.	AVERAGE NET MONTHLY INCOME (Subtract Item 22 from Item 2)				\$	(97.00)

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 7 of 39

## United States Bankruptcy Court Southern District of New York

	Debtor	Cha	oter <u>11</u>	
LIST OF CRE	DITORS HOLDING 2	0 LARGEST	UNSECURE	ED CLAIMS
(1)	(2)	(3)	(4)	(5)

Name of creditor and complete mailing address including zip code Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted

In re CONSTRUCTION ESSENTIALS EXPRESS LLC

8/21/2in

Nature of claim (trade debt, bank loan, government contract, etc.) Indicate if claim is contingent, unliquidated, disputed or subject to setoff

Case No.

Amount of claim [if secured also state value of security]

City of Mount Vernon

**Real Estate Taxes** 

\$62,466.26

Con Edison

\$12,968.71

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

<ol> <li>DENISE HALL, President of the Corpor</li> </ol>	ation named as the debtor in this case	<ul> <li>declare under penalty of perjection</li> </ul>	ury that I have read the	foregoing list and
that it is true and correct to the best of my	/ information and belief.			

Date:

Signature:

**DENISE HALL**, President

(Print Name and Title)

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.

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document

# UNITED STATES BANKRUPTCY COURT Southern District of New York

In re:	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.	
	Debtor	Chapter	11
	Exhibit "A" to Voluntary Petitic	on	

		Exi	nibit "A" to Ve	oluntary Petition	
1.	If any of debtor's number is .	securities are registe	ered under section 12 of the	Securities and Exchange Act of 19	934, the SEC file
2.	The following fina	ancial data is the late	est available information and	d refers to debtor's condition on .	
a.	Total assets			\$	284,245.00
b.	Total debts (inclu	uding debts listed in 2	2.c., below)	\$	475,434.97
					Approximate number of holders
c.	Debt securities h	eld by more than 500	) holders.		
sec	ured	unsecured	subordinated	***************************************	
d.	Number of share	s of preferred stock		**************************************	
e.	Number of share	s of common stock			
	Comments, if any	y:			
3.	Brief description	of debtor's business:			
	Single Asset F	Real Estate			

List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor: 4.

# 12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 9 of 39

## **United States Bankruptcy Court**

## Southern District of New York

In re:	Case No.	
	Chapter	11

CONSTRUCTION ESSENTIALS EXPRESS LLC

## STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Denise Hall, declare under penalty of perjury that I am the President of CONSTRUCTION ESSENTIALS EXPRESS LLC, a New York Corporation and that on 08/17/2012 the following resolution was duly adopted by the Denise Hall of this Corporation:

"Whereas, it is in the best interest of this Corporation 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 **DENISE HALL**, **President** of this Corporation, 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 Corporation; and

Be It Further Resolved, that **DENISE HALL**, **President** of this Corporation, is authorized and directed to appear in all bankruptcy proceedings on behalf of the Corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Corporation in connection with such bankruptcy case; and

Be It Further Resolved, that **DENISE HALL**, **President** of this Corporation, is authorized and directed to employ, attorney and the law firm of **AKHILESH KRISHNA**, **ESQ** to represent the Corporation in such bankruptcy case."

Executed on:

Signed:

Denise Hall

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 10 of 39

B6A (Official Form 6A) (12/07)

In re:	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.	
	Debtor		(If known)

## **SCHEDULE A - REAL PROPERTY**

	Total	>	\$ 275,000.00	
410 South 10th Avenue Mount Vernon, NY 10550	Fee Owner		\$ 275,000.00	\$ 400,000.00
DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM

(Report also on Summary of Schedules.)

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 11 of 39

B6B	Official	Form	6B)	(12/07
	(Oniciai	1 01111	00,	1 2 4 4 6

n re	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.	
	Dobtor		(If known)

## **SCHEDULE B - PERSONAL PROPERTY**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand		Self		200.00
<ol> <li>Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.</li> </ol>		TD Bank & Capital One Capital One Combined Bal. Approximate		4,500.00
<ol> <li>Security deposits with public utilities, telephone companies, landlords, and others.</li> </ol>	Х			
<ol> <li>Household goods and furnishings, including audio, video, and computer equipment.</li> </ol>	х			
<ol> <li>Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.</li> </ol>	Х			·
6. Wearing apparel.	Х			
7. Furs and jewelry.	Х			
Firearms and sports, photographic, and other hobby equipment.	Х			
<ol> <li>Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.</li> </ol>	X			
10. Annuities. Itemize and name each issuer.	х			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
<ol> <li>Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.</li> </ol>	Х			
<ol> <li>Stock and interests in incorporated and unincorporated businesses. Itemize.</li> </ol>	Х			
14. Interests in partnerships or joint ventures. Itemize.	Х			
<ol> <li>Government and corporate bonds and other negotiable and nonnegotiable instruments.</li> </ol>	Х			
16, Accounts receivable.		Tenant # F 1		4,295.00
<ol> <li>Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.</li> </ol>	X			
Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 12 of 39

BAR /	Official	Form	601	(40/07)	Conf
D0D (	Oniciai	FORM	00)	12/07	Cont.

n re	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.
	Dehtor	(If known)

## **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<ol> <li>Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.</li> </ol>	X			
Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	х			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	х			
<ol> <li>Patents, copyrights, and other intellectual property. Give particulars.</li> </ol>	х			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	х			
25. Automobiles, trucks, trailers, and other vehicles and accessories.	Х			
26. Boats, motors, and accessories.	Х			
27, Aircraft and accessories.	Х			
28. Office equipment, furnishings, and supplies.	Х			
29. Machinery, fixtures, equipment and supplies used in business.		At Subject Property cleaning supplies etc		250.00
30, Inventory.	Х			
31, Animals,	Х			
<ol> <li>Crops - growing or harvested. Give particulars.</li> </ol>	Х			
33. Farming equipment and implements.	Х			
34. Farm supplies, chemicals, and feed.	Х			
35. Other personal property of any kind not already listed. Itemize.	Х			
		1 continuation sheets attached Tota	ıl >	\$ 9,245.00

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document B6D (Official Form 6D) (12/07) Pg 13 of 39

in re	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.	
	,		
	Dehtor		(If known)

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.  Combined Realty LLC /Combined. Inv. C/O EINIG & BUSH LLC 420 Lexington Avenue Suite 2320 NY, NY 10170			10/01/2010 Mortgage 410 South 10th Street Mount Vernon, NY 10550 VALUE \$275,000.00	х		X	400,000.00	0.00

continuation sheets attached

0

Subtotal > (Total of this page)

Total > (Use only on last page)

\$ 400,000.00	\$ 0.00	
\$ 400,000.00	\$ 0.00	

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 14 of 39

In re CONSTRUCTION ESSENTIALS EXPRESS LLC Debtor

Case No. (If known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal quardian, or

responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in

□ Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

□ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

□ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

□ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

□ Deposits by individuals

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use,

✓ Taxes and Certain Other Debts Owed to Governmental Units

that were not delivered or provided. 11 U.S.C. § 507(a)(7).

Domestic Support Obligations

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

Claims for Death or Personal Injury While Debtor Was Intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 continuation sheets attached

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 15 of 39 B6E (Official Form 6E) (4/10) - Cont.

In re	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.	
	ONO INCO DO LA PARA DE LA PARA DEPARA DE LA PARA DE LA	0.00110.	(If known)
	Dobtor		(11 1010111)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Type of Priority: Taxes and Certain Other Debts Owed to Governmental Units

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO. 063180 City of Mount Vernon			07/01/2012 Real Estate Taxes				62,466.26	55,492.99	\$6,973.27

Sheet no. 1 of 1 continuation sheets attached to Schedule of Creditors Holding Priority Claims

Subtotals\* (Totals of this page)

Total > (Use only on last page of the completed Schedule E. Report also on the Summary of Schedules.)

Total (Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.)

\$ 62,466.26	\$	55,492.99	\$ 6,973.27
\$ 62,466.26	A STATE OF THE STA		ARTHUR AND
	\$	55,492.99	\$ 6,973.27

	12-23531-rdd	Doc 1	Filed 08/22/12	Entered 08/22/13	2 10:34:51	Main Document
36F (Official Form 6F) (12/07)				Pg 16 of 39		
In re	CONSTRUCTION ESS	SENTIALS	EXPRESSII C		Case No.	

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Debtor

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 522303032200021			08/21/2012				12,968.71
Con Edison			Electric			**************************************	\

0 Continuation sheets attached

(If known)

	ntered 08/22/12 10:34:51 Main Document 17 of 39
n re: CONSTRUCTION ESSENTIALS EXPRESS LLC Debtor	, Case No(If known)
SCHEDULE G - EXECUTORY CON	ITRACTS AND UNEXPIRED LEASES
☑ Check this box if debtor has no executory contracts or unexpired	leases.
NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

12-23531-rdd Doc 1 Filed 08/22/12 B6H (Official Form 6H) (12/07) F	Entered 08/22/12 10:34:51 Pg 18 of 39	Main Document				
In re: CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.	(If known)				
SCHEDULE H - CODEBTORS						
☑ Check this box if debtor has no codebtors.						
NAME AND ADDRESS OF CODEBTOR	NAME AND ADDR	ESS OF CREDITOR				

B6 Summary (Official Form 6 - Summary) (12/07)

## United States Bankruptcy Court Southern District of New York

n re CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.
Debtor	
	Chapter <u>11</u>

## **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 275,000.00		
B - Personal Property	YES	2	\$ 9,245.00		
C - Property Claimed as Exempt	NO		77 (18 de la companya		
D - Creditors Holding Secured Claims	YES	1		\$ 400,000.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	2		\$ 62,466.26	
F - Creditors Holding Unsecured Nonpriority Claims	YES	1		\$ 12,968.71	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	NO	o			\$
J - Current Expenditures of Individual Debtor(s)	NO	0			\$
TOT	AL	9	\$ 284,245.00	\$ 475,434.97	

## United States Bankruptcy Court Southern District of New York

n re	CONSTRUCTION ESSENTIALS EXPRESS LLC				
	Debtor	Chapter	11		

## STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Ar	nount
Domestic Support Obligations (from Schedule E)	\$	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$	62,466.26
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$	0.00
Student Loan Obligations (from Schedule F)	\$	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E.	\$	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$	0.00
TOTAL	\$	62,466.26

#### State the following:

Average Income (from Schedule I, Line 16)	\$ 0.00
Average Expenses (from Schedule J, Line 18)	\$ 0.00
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20)	\$ 0.00

## State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 0.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 55,492.99	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ 6,973.27
4. Total from Schedule F		\$ 12,968.71
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ 19,941.98

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 21 of 39

B6 Declaration (Official Form 6 - Declaration) (12/07)

In re	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.	
	Debtor	(If known)	

## **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

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

I DENISE HALL, the President of the Corpo	ration named as debtor in this case, decl	are under penalty of
perjury that I have read the foregoing summary and sci and that they are true and correct to the best of my kn		sheets (Total shown on summary page plus 1)
0/2//2/1		11.00
Date	Signature:	
/ /	DENISE HALL Pres	
	( [Print or type name o	f individual signing on behalf of debtor.]
[An individual signing on behalf of a partnership or corp	oration must indicate position or relations?	nip to debtor.]

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document

## United States Bankruptcy Court Southern District of New York

n re: CONSTRUCTION ESSENTIALS EXPRESS LLC

Case No.

## **List of Equity Security Holders**

REGISTERED NAME OF HOLDER OF SECURITY LAST KNOWN ADDRESS OR PLACE OF BUSINESS	CLASS OF SECURITY	NUMBER REGISTERED	KIND OF INTEREST REGISTERED

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

I, DENISE HALL, President of the Corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date:

DENISE HALL, President, CONSTRUCTION

**DSSENTIALS EXPRESS LLC** 

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 23 of 39

B7 (Official Form 7) (4/10)

## UNITED STATES BANKRUPTCY COURT Southern District of New York

In re:	CONSTRUCTION ES	SENTIALS EXPRESS LL	_C	Case No.				
	Name of the second seco	D	ebtor	(1f )	known)			
	STATEMENT OF FINANCIAL AFFAIRS							
	1. Income from	employment or ope	eration of business	·				
None	debtor's business, in of this calendar year immediately precedi fiscal rather than a c year.) If a joint petition	cluding part-time activitie to the date this case was ng this calendar year. (A alendar year may report on is filed, state income fo	has received from employments either as an employee or in its commenced. State also the godebtor that maintains, or has necessary that its pour income. Identify the preach spouse separately. (Main not a joint petition is filed, un	ndependent trade or business gross amounts received during naintained, financial records of beginning and ending dates of arried debtors filing under cha	s, from the beginning the two years in the basis of a of the debtor's fiscal pter 12 or chapter 13			
	AMOUNT	SOURCE		FISCAL YEAR PERIOD				
	27,000.00	Rent		12/31/2011				
None	State the amount of business during the filed, state income for	income received by the c two years immediately por each spouse separatel	ment or operation of but debtor other than from employr preceding the commencement y. (Married debtors filing under filed, unless the spouses are s	nent, trade, profession, opera of this case. Give particulars. chapter 12 or chapter 13 mu	If a joint petition is st state income for			
	AMOUNT	SOURCE		F	SCAL YEAR PERIOD			
	3. Payments to	creditors						
None <b>v</b>	a. Individual or joint services, and other the aggregate value (*) any payments the repayment schedule under chapter 12 or	debts to any creditor mad of all property that const at were made to a credito under a plan by an appr	onsumer debts: List all payme de within 90 days immediately itutes or is affected by such train on account of a domestic suppoved nonprofit budgeting and opayments by either or both sponts not filed.)	preceding the commencemer insfer is less than \$600. Indica oport obligation or as part of a credit counseling agency. (Ma	nt of this case unless ate with an asterisk n alternative rried debtors filing			
	NAME AND ADDRE	ESS OF	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING			

None Z

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS/ TRANSFERS AMOUNT PAID OR VALUE OF TRANSFERS

AMOUNT STILL OWING

\*Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

None **☑**  c. All debtors: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID AMOUNT STILL OWING

## 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT
AND CASE NUMBER
Combined Realty LLC,
Successor to Combined
Investments LLC as successor
to Capital One, NA
21250/10

NATURE OF PROCEEDING

Foreclosure

COURT OR AGENCY AND LOCATION

STATUS OR DISPOSITION

SUPREME COURT OF THE STATE OF NEW Y

COUNTY oOF WESTCHESTER

SALE DATE

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF PERSON FOR WHOSE
BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE DESCRIPTION AND VALUE OF PROPERTY

## 5. Repossessions, foreclosures and returns

None **☑**  List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF REPOSSESSION, FORECLOSURE SALE.

DESCRIPTION AND VALUE OF

TRANSFER OR RETURN

PROPERTY

## 6. Assignments and receiverships

None ☑ a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

TERMS OF

NAME AND ADDRESS

NAME AND ADDRESS

OF CREDITOR OR SELLER

DATE OF

ASSIGNMENT

OF ASSIGNEE

ASSIGNMENT

OR SETTLEMENT

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS

DESCRIPTION

NAME AND ADDRESS

OF COURT

DATE OF

AND VALUE OF

3

OF CUSTODIAN

CASE TITLE & NUMBER

ORDER

PROPERTY

## 7. Gifts

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS

RELATIONSHIP

DESCRIPTION

OF PERSON

TO DEBTOR.

DATE

AND VALUE OF

OR ORGANIZATION

IF ANY

OF GIFT

GIFT

## 8. Losses

None

2

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION

DESCRIPTION OF CIRCUMSTANCES AND, IF

AND VALUE OF

LOSS WAS COVERED IN WHOLE OR IN PART

DATE OF

PROPERTY

BY INSURANCE, GIVE PARTICULARS

LOSS

## 9. Payments related to debt counseling or bankruptcy

None **☑**  List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS

OF PAYEE

DATE OF PAYMENT, NAME OF PAYOR IF

OTHER THAN DEBTOR

AMOUNT OF MONEY OR DESCRIPTION AND VALUE

4

OF PROPERTY

## 10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE,

RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED

AND VALUE RECEIVED

None

b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S)

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'

INTEREST IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filling under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filled, unless the spouses are separated and a joint petition is not filled.)

NAME AND ADDRESS OF INSTITUTION TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR

OTHER DEPOSITORY

NAMES AND ADDRESSES

OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

**DESCRIPTION** 

OF CONTENTS DATE OF TRANSFER OR SURRENDER,

IF ANY

13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF

AMOUNT OF

NAME AND ADDRESS OF CREDITOR

SETOFF

SETOFF

14. Property held for another person

None

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS

DESCRIPTION AND VALUE

OF PROPERTY

LOCATION OF PROPERTY

15. Prior address of debtor

None

If debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**ADDRESS** 

OF OWNER

NAME USED

DATES OF OCCUPANCY

5

16. Spouses and Former Spouses

None **Z** 

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None

Z

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

SITE NAME AND ADDRESS

NAME AND ADDRESS
OF GOVERNMENTAL UNIT

DATE OF NOTICE

ENVIRONMENTAL LAW

 	 ······	

None  $\checkmark$ 

List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice,

SITE NAME AND **ADDRESS** 

NAME AND ADDRESS OF GOVERNMENTAL UNIT DATE OF NOTICE

ENVIRONMENTAL

6

LAW

None V

List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

### 18. Nature, location and name of business

None Ø

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses. and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

LAST FOUR DIGITS

OF SOCIAL SECURITY OR OTHER INDIVIDUAL ADDRESS

TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN NATURE OF BUSINESS

BEGINNING AND ENDING

DATES

None  $\mathbf{\Delta}$ 

Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME

NAME

**ADDRESS** 

## 19. Books, records and financial statements

None 3

a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

None  $\mathbf{Z}$ 

b. List all firms or individuals who within two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

**ADDRESS** 

DATES SERVICES RENDERED

None Z

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain,

NAME

**ADDRESS** 

#### 12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 29 of 39

7 d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a None financial statement was issued by the debtor within two years immediately preceding the commencement of this case. Ŋ NAME AND ADDRESS DATE ISSUED 20. Inventories a. List the dates of the last two inventories taken of your property, the name of the person who supervised the None taking of each inventory, and the dollar amount and basis of each inventory. Z DOLLAR AMOUNT OF INVENTORY DATE OF INVENTORY INVENTORY SUPERVISOR (Specify cost, market or other basis) None b. List the name and address of the person having possession of the records of each of the inventories reported in a., above. Z NAME AND ADDRESSES OF CUSTODIAN DATE OF INVENTORY OF INVENTORY RECORDS 21. Current Partners, Officers, Directors and Shareholders a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the None partnership. V NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly None owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.  $\underline{\mathbf{V}}$ NATURE AND PERCENTAGE NAME AND ADDRESS TITLE OF STOCK OWNERSHIP 22. Former partners, officers, directors and shareholders None a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately Ą preceding the commencement of this case. NAME ADDRESS DATE OF WITHDRAWAL None b. If the debtor is a corporation, list all officers or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.  $\mathbf{\Delta}$ DATE OF TERMINATION TITLE NAME AND ADDRESS 23. Withdrawals from a partnership or distributions by a corporation If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including None compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year Ø immediately preceding the commencement of this case. NAME & ADDRESS AMOUNT OF MONEY OF RECIPIENT. DATE AND PURPOSE

OF WITHDRAWAL

RELATIONSHIP TO DEBTOR

OR DESCRIPTION

AND VALUE OF PROPERTY

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 30 of 39

	24. Tax Consolidation Group.	
lone		and federal taxpayer identification number of the parent corporation of any hand the debtor has been a member at any time within six years immediately
	NAME OF PARENT CORPORATION	TAXPAYER IDENTIFICATION NUMBER (EIN)
	25. Pension Funds.	
lone 2		ne and federal taxpayer identification number of any pension fund to which the ble for contributing at any time within six years immediately preceding the
	NAME OF PENSION FUND	TAXPAYER IDENTIFICATION NUMBER (EIN)
	NAME OF PENSION FUND	TAXPAYER IDENTIFICATION NUMBER (EIN)
[If co	NAME OF PENSION FUND  mpleted on behalf of a partnership or corporation]	* * * * *
	mpleted on behalf of a partnership or corporation]	* * * * *
I, d	mpleted on behalf of a partnership or corporation] eclare under penalty of perjury that I have read the	* * * * *
I, d	mpleted on behalf of a partnership or corporation] eclare under penalty of perjury that I have read the	* * * * * *  answers contained in the foregoing statement of financial affairs and any
I, di atta	mpleted on behalf of a partnership or corporation] eclare under penalty of perjury that I have read the	* * * * * *  e answers contained in the foregoing statement of financial affairs and any ct to the best of my knowledge, information and belief.

\_\_\_\_ continuation sheets attached

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 31 of 39

Form B1, Exhibit C (9/01)

## **UNITED STATES BANKRUPTCY COURT Southern District of New York**

Exhibit "C"

[If, to the best of the debtor's knowledge, the debtor owns or has possession of property
that poses or is alleged to pose a threat of imminent and identifiable harm to the public health or
safety, attach this Exhibit "C" to the petition.]

safety, attach this Exhibit "C" to the petition.]		
In re:	Case No.:	
CONSTRUCTION ESSENTIALS EXPRESS LLC  Debtor(s)	Chapter:	11
Exhibit "C" to Voluntary Petition		
Identify and briefly describe all real or personal property owned by or in particle debtor that, to the best of the debtor's knowledge, poses or is alleged to pose a temperature imminent and identifiable harm to the public health or safety (attach additional sheets).	hreat of	
N/A		
2. With respect to each parcel of real property or item of personal property question 1, describe the nature and location of the dangerous condition, whether envor otherwise, that poses or is alleged to pose a threat of imminent and identifiable hapublic health or safety (attach additional sheets if necessary):	rironmental	
N/A		

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 32 of 39

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re

CONSTRUCTION ESSENTIALS EXPRESS LLC

Chapter 11

Debtor(s)

## **DECLARATION RE: ELECTRONIC FILING**

## PART I - - DECLARATION OF PETITIONER[S]:

#### CONSTRUCTION ESSENTIALS EXPRESS LLC

the undersigned debtor[s], hereby declare under penalty of perjury, that the information I [we] have given my [our] attorney and the information provided in the electronically filed petition is true and correct. I [We] consent to my [our] attorney sending my [our] petition, and the accompanying statements and schedules to the United States Bankruptcy Court, the trustee appointed in my [our] case and the United States Trustee. I [We] understand that failure to provide the trustee with the signed original of this Declaration Re: Electronic Filing within 15 days following the date the petition was electronically filed will cause, my [our] case to be dismissed pursuant to 11 U.S.C § 707(a)(3) without further notice.

Dated:

Signød:

**DENISE HALL** 

PART II - - DECLARATION OF ATTORNEY:

I declare under penalty of perjury that I have reviewed the above debtor's(s') petition, schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. The debtor(s) will have signed this form before I file the petition, schedules and statements. I will give the debtor(s) a copy of all forms and information to be filed with the United States Bankruptcy Court, and I will send copies of this declaration, the petition, schedules and statements to the trustee appointed in this case and to the United States Trustee. This declaration is based upon all information of which I have knowledge.

Datad

Signed:

Attorney for Debtor[s]

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 33 of 39

B24 (Official Form 24) (12/07)

# UNITED STATES BANKRUPTCY COURT Southern District of New York

## CERTIFICATION TO COURT OF APPEALS BY ALL PARTIES

A notice of appeal having been filed in the above-styled matter on, and, [Names of all the appellants and
all the appellees, if any], who are all the appellants [and all the appellees] hereby certify to the court under 28 U.S.C. § 158(d)(2)(A) that a circumstance specified in 28 U.S.C. § 158(d)(2) exists as stated below.
Leave to appeal in this matter 🔲 is 🔲 is not required under 28 U.S.C. § 158(a).
[If from a final judgment, order, or decree] This certification arises in an appeal from a final judgment, order, or decree of the United States Bankruptcy Court for the <b>Southern District of New York</b> entered on[Date].
[If from an interlocutory order or decree] This certification arises in an appeal from an interlocutory order or decree, and the parties hereby request leave to appeal as required by 28 U.S.C. § 158(a).
[The certification shall contain one or more of the following statements, as is appropriate to the circumstances.]
The judgment, order, or decree involves a question of law as to which there is no controlling decision of the court of appeals for this circuit or of the Supreme Court of the United States, or involves a matter of public importance.
Or
The judgment, order, or decree involves a question of law requiring resolution of conflicting decisions.
Or
An immediate appeal from the judgment, order, or decree may materially advance the progress of the case or proceeding in which the appeal is taken.

# 12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 34 of 39

B24 (Official Form 24) (12/07) - Cont.

Page 2

[The parties may include or attach the information specified in Rule 8003(f)(3)(C).]

Signed: [If there are more than two signatories, all must sign and provide the information requested below. Attach additional signed sheets if needed.]

Attorney for Appellant (or Appellant, if not represented by an attorney)	Attorney for Appellant (or Appellant, if not represented by an attorney)		
Printed Name of Signer	Printed Name of Signer		
127-21 Liberty Avenue Richmond Hill, NY 11419 Address	Address		
718-304-7590	Mailodo		
Telephone No.	Telephone No.		
Date	Date		

12-23531-rdd Doc 1 Filed 08/22/12 Entered 08/22/12 10:34:51 Main Document Pg 35 of 39

B 203 (12/94)

## UNITED STATES BANKRUPTCY COURT Southern District of New York

In	re:		CONSTRUCTION ESSENTIALS E	XPF	RESS LLC		Case N	0.		
		-	Debtor				- Chapter	•	11	
			DISCLOSURE	0	F COMPEN FOR DEI	-	OF ATTORN	ΕY		
1.	and the	at co o me	o 11 U.S.C. § 329(a) and Bankruptcy F ompensation paid to me within one yea a, for services rendered or to be rendere n with the bankruptcy case is as follows	r bef ed oi	ore the filing of the p	etition in bankrup	otcy, or agreed to be	d deb	otor(s)	
	F	or le	gal services, I have agreed to accept					\$		10,000.00
	Р	rior t	to the filing of this statement I have rece	eivec	I			\$		5,500.00
	В	alan	ce Due					\$		4,500.00
2.	The s	ourc	e of compensation paid to me was:							
		✓	Debtor		Other (specify)					
3.	The s	ourc	e of compensation to be paid to me is:							
		V	Debtor	✓	Other (specify)	Debtor/ De	enise Hall			
4.	v		ve not agreed to share the above-discl ny law firm.	osec	compensation with	any other person	unless they are mem	bers a	and associ	ates
		my	ve agreed to share the above-disclosed law firm. A copy of the agreement, togo ched.							f
5.	In retu		or the above-disclosed fee, I have agree :	ed to	render legal service	for all aspects o	f the bankruptcy case	Í		
	a)		lysis of the debtor's financial situation, a ∍tition in bankruptcy;	and	rendering advice to t	he debtor in dete	rmining whether to file	Э		
	b)	Prep	paration and filing of any petition, sched	dules	s, statement of affairs	, and plan which	may be required;			
	c)	Rep	resentation of the debtor at the meeting	g of	creditors and confirm	ation hearing, ar	nd any adjourned hear	rings	thereof;	
	d)	Rep	resentation of the debtor in adversary p	proc	edings and other co	ntested bankrup	tcy matters;			
	e)	(Oth	ner provisions as needed] ne							
6.	By ag	reen	nent with the debtor(s) the above disclo	sed	fee does not include	the following ser	rvices:			
					CERTIFICA	TION		***************************************		,
r		-	nat the foregoing is a complete stateme on of the debtor(s) in this bankruptcy p			rrangement for p	ayment to me for			
	Dated:									

, Bar No.

AKHILESH KRISHNA, ESQ

Attorney for Debtor(s)

## United States Bankruptcy Court Southern District of New York

in re	CONSTRUCTION ESSENTIALS EXPRESS LLC	Case No.	
	Debtor	Chapter	11

STATEMENT OF C	ORPORATI	E OWNERSHIP
Comes now <b>CONSTRUCTION ESSENTIALS EXPRES</b> 1007(a) and 7007.1 state as follows:	SS LLC (the "D	ebtor") and pursuant to Fed. R. Bankr. P.
X All corporations that directly or indirectly own are listed below:	10% or more o	f any class of the corporation's equity interests
Owner		% of Shares Owned
Denise Hall 3224 Gunther Avenue Bronx, NY 10469		100%
OR,		
There are no entities to report.		
	7	
ŧ	3y <u>:</u>	
	Signature of A	•
	Counsel for	CONSTRUCTION ESSENTIALS EXPRESS LLC

Bar no.:

Address.: AKHILESH KRISHNA, ESQ

127-21 Liberty Avenue Richmond Hill, NY 11419

Telephone No.: **718-304-7590** Fax No.: **718-843-2192** 

E-mail address:

B10 (Official Form 10) (4/10) Doc 1 Filed 08/22/12 Entered 08/22/12 10	·34·51 Main Document
UNITED STATES BANKRUPTCY COURT Pg 37 of 39	PROOF OF CLAIM
Name of Debtor:	Case Number:
NOTE: This form should not be used to make a claim for an administrative expense arising after the conadministrative expense may be filed pursuant to 11 U.	nmencement of the case. A request for payment of an S.C. § 503.
Name of Creditor (the person or other entity to whom the debtor owes money or property):	Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent:	Court Claim Number:
	(If known) Filed on:
The latest and the second and the se	
Telephone number:  Name and address where payment should be sent (if different from above):	
γ	☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  ☐ Check this box if you are the debtor
Telephone number:	or trustee in this case.
1. Amount of Claim as of Date Case Filed: \$	5. Amount of Claim Entitled to Priority under
If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.	11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.
If all or part of your claim is entitled to priority, complete item 5.  Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.	Specify the priority of the claim.
2. Basis for Claim: (See instruction #2 on reverse side.)	☐ Domestic support obligations under
	11 U.S.C. \$507(a)(1)(A) or (a)(1)(B).  ☐ Wages, salaries, or commissions (up to \$11,725*)
3. Last four digits of any number by which creditor identifies debtor:	earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's
3a. Debtor may have scheduled account as:  (See instruction #3a on reverse side.)	business, whichever is earlier – 11 U.S.C. §507 (a)(4).
4. Secured Claim (See instruction #4 on reverse side.)	☐ Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5).
Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.	☐ Up to \$2,600* of deposits toward
Nature of property or right of setoff:  Real Estate  Motor Vehicle  Other Describe:	purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).
Value of Property:\$ Annual Interest Rate %  Amount of arrearage and other charges as of time case filed included in secured claim,	☐ Taxes or penalties owed to governmental units — 11 U.S.C. §507(a)(8).
if any: \$ Basis for perfection:	☐ Other – Specify applicable paragraph
	of 11 U.S.C. §507 (a)().
Amount of Secured Claim: \$ Amount of Unsecured: \$	
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of	Amount entitled to priority
claim.  7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes,	\$
purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and	
security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)	*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER	
SCANNING.	
If the documents are not available, please explain:	- Control of the Cont
Date: Signature: The person filing this claim must sign it. Sign and print name and title, if at the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney if	
number if different from the notice address above. Attach copy of power of attorney, if	auty.

## PG 39 of 39 Instructions for proof of claim form

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

## Items to be completed in Proof of Claim form

#### Court, Name of Debtor, and Case Number:

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

#### Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptey case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

#### 1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

#### 2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

#### 3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

#### 3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

### 4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

#### 5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

#### 7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

#### Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

#### DEFINITIONS

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

#### Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10)

#### Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

#### Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

### Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

#### Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

#### Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

### Redacted

A document has been reducted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

### **Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

## \_INFORMATION\_\_\_

## Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

#### Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the fact value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.