# B1 (Official Form 3, 37/132-cgm Doc 1 Filed 09/26/13 Entered 09/26/13 09:09:26 Main Document

	and the second		5 09.09.20 Main	Document			
United States Bankrupt	rev Countr Pg 1 O	of 10 voluntary petition					
Name of Debtor (if individual, enter Last, First, Middle): 4 (08033 B.C.	TD	Name of Joint Debtor (Spouse) (Last, First, Middle):					
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	·	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):					
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) (if more than one, state all): $22 - 33997$	)/Complete EIN		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):				
Street Address of Debtor (No. and Street, City, and State): 10 GARRISON RD		Street Address of Jos	Street Address of Joint Debtor (No. and Street, City, and State):				
SHADY, NY 12409	(+25)						
County of Residence or of the Principal Place of Business:	ZIP CODE	County of Residence	ZIP CODE County of Residence or of the Principal Place of Business:				
Mailing Address of Debtor (if different from street address):		Mailing Address of	loint Debtor (if different from	street address):			
-							
	ZIP CODE			ZIP CODE			
Location of Principal Assets of Business Debtor (if different fr	rom street address above):			ZIP CODE			
Type of Debtor (Form of Organization)	Nature of (Check one box.)	Besiness	ptcy Code Under Which Filed (Check one box.)				
(Check one box.)	Health Care Busi		Chapter 7	Chapter 15 Petition for			
Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.		l Estate as defined in (51B)	Chapter 9 Recognition of a Foreign Chapter 11 Main Proceeding Chapter 12 Chapter 15 Petition for				
Corporation (includes LLC and LLP)			Chapter 12   Chapter 13	Chapter 15 Petition for Recognition of a Foreign			
Other (If debtor is not one of the above entities, check		ter		Nonmain Proceeding			
Chapter 15 Debtors							
Chapter 15 Decisions Country of debtor's center of main interests:	(Check box, it						
V. 6	1 —	tempt organization debts, defined in 11 U.S.C. primarily					
		he United States § 101(8) as "incurred by an business debts. I Revenue Code). individual primarily for a					
		1	personal, family, or household purpose."				
Filing Fee (Check one box.)		Check one bez:	Chapter 11 Debto				
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(5					
Filing Fee to be paid in installments (applicable to indivi- signed application for the court's consideration certifying	g that the debtor is	Check if:					
unable to pay fee except in installments. Rule 1006(b).		insiders or affi	listes) are less than \$2,490,92	d debts (excluding debts owed to 25 (amount subject to adjustment			
Filing Fee waiver requested (applicable to chapter 7 indiattach signed application for the court's consideration. S	viduals only). Must See Official Form 3B.		l every three years thereafter)	). 			
		Check all applicable boxes: A plan is being filed with this petition.					
			f the plan were solicited prep accordance with 11 U.S.C. §				
Statistical/Administrative Information				THIS SPACE IS FOR COURT USE ONLY			
<ul> <li>Debtor estimates that funds will be available for dis</li> <li>Debtor estimates that, after any exempt property is distribution to unsecured creditors.</li> </ul>	stribution to unsecured cre excluded and administrati	ditors. ive expenses paid, there	will be no funds available fo	r			
Estimated Number of Creditors			0 0				
1-49 50-99 100-199 200-999 1,000- 5,000		10,001- 25,001- 25,000 50,000	50,001- Ov 100,000 10	ver 0,000			
Estimated Assets			0 0				
\$0 to \$50,001 to \$100,001 to \$500,001 \$1,000	0,001 \$10,000,001 \$	50,000,001 \$100,00 5100 to \$500	0,001 \$500,000,001 M	ore than billion			
million million		nillion million	n și cinată - Î				
Estimated Liabilities							
PD . PEO 001 / P100 001 / PEOD 001 P1 00/	n nna - 440 nnn nna - 4	PER 000 001 - #100 00	00 001 <b>8</b> 800 000 001 <b>1</b> 8				

B1 (Official Form 3) 374132-cgm Doc			ain Document Page 2					
Voluntary Petition		(Nime of Debtor(s):						
(This page must be completed and filed in every case.) All Prior Bankraptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)								
Location Where Filed: ALBANY N	Y 0	Case Number: /0 - // 753	Date Filed: // A/ To De MARCENT ZOIO					
Location Where Filed:	0	Case Number:	Date Filed:					
	: Filed by any Spouse, Partner, or Af	Silate of this Debtor (If more than one, attach : Case Number:	additional sheet.) Date Filed:					
Name of Debtor:								
District:	0	Relationship:	Judge:					
<b>Exhibit</b> A (To be completed if debtor is required to file 10Q) with the Securities and Exchange Commi of the Securities Exchange Act of 1934 and is re	periodic reports (e.g., forms 10K and ssion pursuant to Section 13 or 15(d)	Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required						
Exhibit A is attached and made a part of t	his netition.	by 11 U.S.C. § 342(b).						
		X	(Date)					
			)					
Does the debtor own or have possession of any	Exhib property that poses or is alleged to pose		ablic health or safety?					
Yes, and Exhibit C is attached and made	a part of this petition.							
No.								
(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 de	btor, 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 Regardin							
(Check any applicable box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.								
There is a bankruptcy case o	oncerning debtor's affiliate, general part	tner, 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 entire monetary default th	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 of the petition.								
I <u> </u>								

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	Nam 09/20/13 09.09.20 Main Document
	968033 B.C. LTD
	itares
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 and correct. [If petitioner is an individual whose debts are primarily consumer debts and has	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.
chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12	
or 13 of title 11, United States Code, understand the relief available under each such	(Check only one box.)
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).	
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Pursuant to 11 U.S.C. § 1511, 1 request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.
Х	х
Signature of Debtor	(Signature of Foreign Representative)
X 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 Signature of Attorney for Debter(s) VAUD VAN BENSCHOTEN Printed Name of Attorney for Debtor(s)	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under II U.S.C. §§ 110(b), 110(b), and 342(b); and, (3) if rules or
Firm Name 34 WEst Bridges St POBry 359	guidelines have been promulgated pursuant to I1 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor
SAUGENTIES NY 12477	or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
Address 0495-246-3655 Telephone Number 06 0017	Printed Name and title, if any, of Bankruptcy Petition Preparer
	Carial Causia and a CEA balance atting and a factoria
*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a	Social-Security number (If the bankruptcy petition preparer is not an individual, 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)	
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	Address
The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition $\Lambda$	XSignature
x Bettom President	Date
Signature of Authorized Individual	Signature of bankruptcy petition preparer or officer, principal, responsible person, or
Printed Name of Authorized Individual Reita K Braich	partner whose Social-Security number is provided above.
Title of Authorized Individual	Names and Social-Security numbers of all other individuals who prepared or assisted
09/14/2017. Date	in preparing this document ualess the bankruptcy petition preparer is not an individual.
	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

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B 6F (Official Form 6F) (12/07) - Cont.

In re 468033 BC LTD , Debtor

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

(if known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS** 

(Continuation Sheet)

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. REITINDER BRAICH 10 GARRISON RD SHADY, NY 12409			1994 1995 2002/3				<sup>\$</sup> 390,000
ACCOUNT NO. DAVID VAN BONSCHOT 34 WEST BRIDGE ST SAUGORETIES, NY 124	ег) 17		2008 - 2013				\$25,000
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
Sheet no of continuation sheets attached Subtotal > to Schedule of Creditors Holding Unsecured Nonpriority Claims						total≻	\$ 415,000
Total► (Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable on the Statistical						\$ 415,000	

Summary of Certain Liabilities and Related Data.)

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B 6D (Official Form 6D) (12/07)

Inre 468033 BC LTD Case No. (If known)

#### **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

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. LEN GERBER 40 VINCENT CATALAN #2 LIBERTY ST POUGHIKEEPSK, NY 1	10 26	>1	(FAD) 2010 MARCH HOME + LAND #550,000 VALUES	V			*80,529.4a	
ACCOUNT NO.			VALUE \$					
ACCOUNT NO.			VALUE \$					
continuation sheets attached			Subtotal ► (Total of this page) Total ► (Use only on last page)				<sup>\$</sup> 80,529,42 \$80,529,42	\$ \$
			( only on mor puge)				(Report also on Summary of Schedules.)	(If applicable, report also on Statistical Summary of Certain Liabilities and Related Data

DEBTOR: 468033 B.C. LTD 10 Garrison Rd Shady, NY 12409

Chapter 11 Southern District, NY

## **CREDITOR MATRIX**

- 1.) Len Gerber
  % Vincent Catalano Jr
  2 Liberty St, Poughkeepsie, NY
  12601
- 2.) Reita Braich 10 Garrison Rd Shady, NY 12409
- 3.) David Van Benschoten34 W Bridge St, Box 359Saugerties, NY 12477

B 1D (Official Form 1, Exhibit D) (12/09)

# **UNITED STATES BANKRUPTCY COURT** Southern District of NY

In re 467033 B.C. LTD Debtor

Case No.\_\_\_\_\_\_(if known)

## **EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT**

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.

2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

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B 1D (Official Form 1, Exh. D) (12/09) - Cont.

 $\Box$  3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

**4.** I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

□ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

 $\Box$  Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

C Active military duty in a military combat zone.

 $\Box$  5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: But President Date: Sept 14,2013 468033 B.C LTD

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- 2/15/12 Eviction filed To appear 2/22/12
- 2/21/12 Defendant requested adjournment-out of country
- 3/8/12 Hearing set for 3/19/12
- 3/9/12 Defendant request adjournment-still out of country-adjourned to 3/27/12
- 3/26/12 Hearing set for 3/28/12
- 3/28/12 Adjourn to 4/12/12 for hearing
- 4/12/12 Adjourn to 4/19/12
- 4/18/12 Counsel requests adjournment to 4/26/12
- 4/26/12 Counsel requests adjournment to 5/2/12
- 5/2/13 Trial set for 5/17/12
- 5/17/12 Possession granted to plaintiff-Warrant of Eviction granted-judgment for plaintiff \$3,600
- 6/14/12 New Warrant of Eviction
- 6/15/12 New Warrant of Eviction
- 6/25/12 Hearing of eviction-attorneys provide further written arguments by 7/2/12-to return 7/9/12
- 6/25/13 Notice of Appeal filed
- 7/9/12 Warrant of Eviction signed-stayed until 7/16/12
- 8/10/12 Warrant vacated by court-stayed until 8/17/12
- 8/30/12 Hearing \$77,500 amount of undertaking-court reserves acceptance of undertaking to review
- 9/12/12 Undertaking hearing continuation 9/13/12
- 9/13/12 Warrant of Eviction stayed until 10/5/12-Defendant to respond by 9/19/12-Plaintiff to respond by 9/21/12
- 10/4/12 Undertaking unacceptable-Warrant of Eviction in effect-no stay

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

I, [the president or other officer or an authorized agent of the corporation] [or a member or an authorized agent of the partnership] named as the debtor in this case, declare under penalty of perjury that I have read the foregoing [list or schedule or amendment or other document (describe)] and that it is true and correct to the best of my information and belief.

Date Sept 24,2013

Signature Kertes APresident

(Print Name and Title) 468033 B.C. LTD