B1 (Official 402812940)d Doc 1 Filed 08/07/14 Entered 08/07/14 10:40:58 Main Document United States Bankruptcy Colort of 12 Southern District of New York **Voluntary Petition** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): J&J SPOT HOLDING INC. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more than than one, state all): 27-3337031 one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 850 NORTH BROADWAY NORTH WHITE PLAINS, NY ZIP CODE ZIP CODE 10603 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): Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE 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 \Box Single Asset Real Estate as defined in 11 Recognition of a Foreign Individual (includes Joint Debtors) Chapter 9 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding V Chapter 11 □ Railroad 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 Clearing Bank check this box and state type of entity below.) 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). THIS SPACE IS FOR Statistical/Administrative Information 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 100-200-1.000-50-5.001-10.001-25.001-50.001-Over 49 99 199 999 5,000 10,000 25,000 50,000 100,000 100,000 Estimated Assets \Box V \Box \Box \Box \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$0 to \$500,000,001 More than \$1 \$50,000 \$100,000 to \$100 to \$500 \$500,000 to \$10 to \$50 to \$1 billion billion \$1 million million million million million Estimated Liabilities \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$0 to \$100,001 to \$500,000,001 More than \$1 to \$10 to \$50 to \$100 to \$500 \$50,000 \$100,000 \$500,000 to \$1 billion billion

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B1 (Officia <u>1</u> 140 <u>2</u> 1			in Docum EMRM B1, Page 2
Voluntary Peti (This page must	tion Pg be completed and filed in every case)	2Name 17 Debtor(s): J&J SPOT HOLDING INC.	
	All Prior Bankruptcy Cases Filed Within La	ast 8 Years (If more than two, attach additional sheet.)	
Location Where Filed:	NONE	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
	Pending Bankruptcy Case Filed by any Spouse, Partner of	· · · · · · · · · · · · · · · · · · ·	
Name of Debtor: NONE		Case Number:	Date Filed:
District:		Relationship:	Judge:
10Q) with the Secur of the Securities Exc	Exhibit A debtor is required to file periodic reports (e.g., forms 10K and ities and Exchange Commission pursuant to Section 13 or 15(d) change Act of 1934 and is requesting relief under chapter 11.)	Exhibit B (To be completed if debtor is whose debts are primarily con I, the attorney for the petitioner named in the foregoi have informed the petitioner that [he or she] may pro 12, or 13 of title 11, United States Code, and have available under each such chapter. I further certify the debtor the notice required by 11 U.S.C. § 342(b).	sumer debts) ng petition, declare that I ceed under chapter 7, 11, xplained the relief
Exhibit A is at	ttached and made a part of this petition.	X Not Applicable Signature of Attorney for Debtor(s)	Date
	Ex	l hibit C	
	n or have possession of any property that poses or is alleged to pose a bit C is attached and made a part of this petition.	threat of imminent and identifiable harm to public heal	th or safety?
	Ext	hibit D	
(To be completed by	y every individual debtor. If a joint petition is filed, each spouse mus	st complete and attach a separate Exhibit D.)	
Exhibit D	completed and signed by the debtor is attached and made a part of t	his petition.	
If this is a joint petit	ion:		
Exhibit D	also completed and signed by the joint debtor is attached and made	a part of this petition.	
		ding the Debtor - Venue y 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	of business, or principal assets in this District for 180 days than in any other District.	nys immediately
	There is a bankruptcy case concerning debtor's affiliate. general pa	artner, or partnership pending in this District.	
	Debtor is a debtor in a foreign proceeding and has its principal pla has no principal place of business or assets in the United States but this District, or the interests of the parties will be served in regard	t is a defendant in an action or proceeding [in a federal	
	_	des as a Tenant of Residential Property pplicable boxes.)	
	Landlord has a judgment against the debtor for possession of debtor	or's residence. (If box checked, complete the following).	
		(Name of landlord that obtained judgment)	
		(Address of landlord)	
	Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possession		ed to cure the
	Debtor has included in this petition the deposit with the court of a filing of the petition.	ny rent that would become due during the 30-day period	after the
	Debtor certifies that he/she has served the Landlord with this certi	fication. (11 U.S.C. § 362(l)).	

ntered 08/07/14 10:40:58 Main Docum EMM B1 , Page 3 3 12 Debtor(s):
J&J SPOT HOLDING INC.
atures
Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 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)
Date
Signature of Non-Attorney Petition Preparer
I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined
in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
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.)
Address
X Not Applicable
Date Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above. Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual. If more than one person prepared this document, attach to the appropriate official form for each person. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and

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United States Bankruptcy Court

Southern District of New York

In re:		Case No.	
		Chapter	11
J&J SPOT HOLDING INC.			
STATEMENT REGARDING AUTHO	ORITY TO S	IGN AND FILE P	ETITION
I, JOSEPH MACELLARO, declare under penalty of perjury tha YORK Corporation and that on 08/04/2014 the following resolution			
"Whereas, it is in the best interest of this Corporation to file a Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United		n in the United States	
	,		
Be It Therefore Resolved, that JOSEPH MACELLARO , VICE P and deliver all documents necessary to perfect the filing of a Cha			
Be It Further Resolved, that JOSEPH MACELLARO , VICE PRE all bankruptcy proceedings on behalf of the Corporation, and to deliver all necessary documents on behalf of the Corporation in control of the Corporation i	therwise do and p	perform all acts and deed	ls and to execute and
Be It Further Resolved, that JOSEPH MACELLARO, VICE PR Steven D. Hamburg, attorney and the law firm of Steven D. Hambu			
Executed on: 8/6/2014		<u> SEPH MACELLARO</u> EPH MACELLARO	

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B4 (Official Form 4) (12/07)

Date: 8/6/2014

United States Bankruptcy Court Southern District of New York

In re J&J SPOT HOLDING IN	IC.	, Cas	se No	
	Debtor	Ch	apter <u>11</u>	
LIST OF CRE	DITORS HOLDING	20 LARGEST	UNSECURE	D CLAIMS
(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address ncluding 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	Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)	Indicate if claim is contingent, unliquidated, disputed or subject to setoff	Amount of claim [if secured also state value of security]
NY STATE DEPT. OF TAX & FINANCE DPTS-PROMPT-TAX NA HARRIMAN CAMPUS ALBANY, NY 12227-0001			DISPUTED	\$8,000.00
	DECLARATION UNDE ON BEHALF OF A CORP			
	PRESIDENT of the Corporation named as d correct to the best of my information and		lare under penalty of perjury	that I have read the

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.

Signature:

s/ JOSEPH MACELLARO

(Print Name and Title)

JOSEPH MACELLARO, VICE PRESIDENT

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

In re:	J&J SPOT HOLDING INC.	Case No.	
	Debtor	,	(If known)

SCHEDULE A - REAL PROPERTY

Real Property- 2 Lots- Sec. Blk. lots-	NATURE OF DEBTOR'S INTEREST IN PROPERTY Fee Owner	HUSBAND, WIFE, JOINT OR COMMUNITY	PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION \$1,400,000.00	AMOUNT OF SECURED CLAIM \$ 309,331.10
850 North Broadway, North White Plains, New York				

(Report also on Summary of Schedules.)

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B6D (Official	Form	6D)	(12/07)

In re	J&J SPOT HOLDING INC.			Case No.	
		Debtor	<u> </u>		(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.			07/25/2013 Judgment Lien			X	76,000.00	0.00
STATE OF NEW YORK WORKERS COMPENSATION BOARD JUDGMENT UNIT 328 STATE STREET SCHENECTADY, NY 12305			Real Property- 2 Lots- Sec. Blk. lots- 122.12-5-54 and 122.12-5-62- located at 850 North Broadway, North White Plains, New York VALUE \$1,400,000.00					
ACCOUNT NO.			12/31/2010			Χ	233,331.10	0.00
TOWN OF NORTH CASTLE C/O PATRICIA A. COLOMBO RECEIVER OF TAXES 17 BEDFORD ROAD ARMONK, NY 10504-1898			Statutory Lien Real Property- 2 Lots- Sec. Blk. lots- 122.12-5-54 and 122.12-5-62- located at 850 North Broadway, North White Plains, New York VALUE \$1,400,000.00					

continuation sheets attached

Subtotal → (Total of this page)

Total → (Use only on last page)

\$ 309,331.10	\$ 0.00
\$ 309,331.10	\$ 0.00

(Report also on Summary of (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

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B6E (Official Form 6E) (4/10)

In re	J&J SPOT HOLDING INC.	Case No.	
	Debtor		(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.
TY	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)
	Domestic Support Obligations
	Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or consible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in U.S.C. § 507(a)(1).
	Extensions of credit in an involuntary case
арр	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 continuous ointment 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 ependent sales representatives up to \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans
ces	Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen
	Certain farmers and fishermen
	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).
	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,
that	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, were not delivered or provided. 11 U.S.C. § 507(a)(7).
that	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, were not delivered or provided. 11 U.S.C. § 507(a)(7). Taxes and Certain Other Debts Owed to Governmental Units
that	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, were not delivered or provided. 11 U.S.C. § 507(a)(7). Taxes and Certain Other Debts Owed to Governmental Units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
that	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, were not delivered or provided. 11 U.S.C. § 507(a)(7). Taxes and Certain Other Debts Owed to Governmental Units 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 vernors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C.
that	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, were not delivered or provided. 11 U.S.C. § 507(a)(7). Taxes and Certain Other Debts Owed to Governmental Units 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 vernors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. 07 (a)(9).

1 continuation sheets attached

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B6E	(Official	Form	6E) ((4/10)	Cont.
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In re	J&J SPOT HOLDING INC.		Case No.	
		Debtor	,	(If known)

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. ER-50-31025 NY STATE DEPT. OF TAX & FINANCE OPTS-PROMPT-TAX WA HARRIMAN CAMPUS ALBANY, NY 12227-0001			01/01/2014 State Unemployment Tax			Х	8,000.00	8,000.00	\$0.00

Sheet no. $\underline{1}$ of $\underline{1}$ 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.)

\$ 8,000.00	\$ 8,000.00	\$ 0.00
\$ 8,000.00		
	\$ 8,000.00	\$ 0.00

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B6F (Official Form 6F) (12/07)

SCHEDULE F	- CREDITORS HOL	DING UNSECURED	NONPRIORITY CL	ΔIMS
OCHEDULE I	- 61/2011/01/01/01	-DING GNOLGGIVED		.AIIVI C

Case No. _

(If known)

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

Debtor

In re

J&J SPOT HOLDING INC.

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.							

0 Continuation sheets attached

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:	J&J SPOT HOLDING INC.	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: 8/6/2014 Signed: s/ JOSEPH MACELLARO

JOSEPH MACELLARO

Signed: /s/ Steven D. Hamburg

Steven D. Hamburg

Attorney for Debtor(s)

Bar no.: SH9356 Steven D. Hamburg

2736 Independence Avenue

Suite 1H

Bronx, New York 10463

Telephone No.: (917) 885-8275 Fax No.: (516) 773-4516

E-mail address:

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NY STATE DEPT. OF TAX & FINANCE
OPTS-PROMPT-TAX
WA HARRIMAN CAMPUS
ALBANY, NY 12227-0001

STATE OF NEW YORK
WORKERS COMPENSATION BOARD
JUDGMENT UNIT
328 STATE STREET
SCHENECTADY, NY 12305

TOWN OF NORTH CASTLE C/O PATRICIA A. COLOMBO RECEIVER OF TAXES 17 BEDFORD ROAD ARMONK, NY 10504-1898