

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known)

Chapter

11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name The Warwick Yard LLC

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 47-1860292

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>120 State School Road</u> <u>Warwick, NY 10990</u> Number, Street, City, State & ZIP Code	<u>120 State School Road, Warwick, NY 10990</u> P.O. Box, Number, Street, City, State & ZIP Code
	<u>Orange</u> County	Location of principal assets, if different from principal place of business <u>120 State School Road, Warwick, NY 10990</u> Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify:

Debtor **The Warwick Yard LLC**
Name

Case number (if known)

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5311

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9
- Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- 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).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- No.
- Yes.

If more than 2 cases, attach a separate list.

District	When	Case number
_____	_____	_____
District	When	Case number
_____	_____	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship	
_____	_____	
District	When	Case number, if known
_____	_____	_____

Debtor **The Warwick Yard LLC**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- Debtor has had its domicile, 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.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other _____

Where is the property? _____

Number, Street, City, State & ZIP Code

Is the property insured?

No

Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

1-49

50-99

100-199

200-999

1,000-5,000

5001-10,000

10,001-25,000

25,001-50,000

50,001-100,000

More than 100,000

15. Estimated Assets

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

16. Estimated liabilities

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

Debtor **The Warwick Yard LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING – Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **June 28, 2017**
MM / DD / YYYY

X /s/ Mark Goldstein
Signature of authorized representative of debtor

Title **Member/Manager**

Mark Goldstein
Printed name

18. Signature of attorney

X /s/ Brian K. Condon
Signature of attorney for debtor

Date **June 28, 2017**
MM / DD / YYYY

Brian K. Condon
Printed name

Condon & Associates, PLLC
Firm name

55 Old Turnpike Road
Suite 502
Nanuet, NY 10954
Number, Street, City, State & ZIP Code

Contact phone **(845) 627-8500** Email address **brian@condonlawoffices.com**

Bar number and State

Resolution of Members of
of
The Warwick Yard LLC

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

Be It Therefore Resolved, that **Mark Goldstein, Member/Manager of OCYARD LLC, which is the managing member of Warwick Yard, LLC,** 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 limited liability company; and

Be It Further Resolved, that **Mark Goldstein, Member/Manager** of this LLC is authorized and directed to appear in all bankruptcy proceedings on behalf of the LLC, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the LLC in connection with such bankruptcy case, and

Be It Further Resolved, that **Mark Goldstein, Member/Manager** of this LLC is authorized and directed to employ **Brian K. Condon**, attorney and the law firm of **Condon & Associates, PLLC** to represent the LLC in such bankruptcy case.

Date June 28, 2017

Signed /s/Mark Goldstein

Date _____

Signed _____

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

In re The Warwick Yard LLC

Debtor(s)

Case No.

Chapter 11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Mark Goldstein**, declare under penalty of perjury that I am the **Member/Manager** of **OCYARD LLC**, which is the managing member of **Warwick Yard, LLC**, and that the following is a true and correct copy of the resolutions adopted by the Managing Members of said limited liability company at a special meeting duly called and held on the 28th day of June, 2017.

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

Be It Therefore Resolved, that **Mark Goldstein, Member/Manager** of this LLC, 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 limited liability company; and

Be It Further Resolved, that **Mark Goldstein, Member/Manager** of this LLC is authorized and directed to appear in all bankruptcy proceedings on behalf of the limited liability company, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the LLC in connection with such bankruptcy case, and

Be It Further Resolved, that **Mark Goldstein, Member/Manager** of this LLC is authorized and directed to employ **Brian K. Condon**, attorney and the law firm of **Condon & Associates, PLLC** to represent the LLC in such bankruptcy case."

Date June 28, 2017

Signed /s/ Mark Goldstein
Mark Goldstein

Fill in this information to identify the case:

Debtor name The Warwick Yard LLC
 United States Bankruptcy Court for the: Southern District of NY
(State)
 Case number (if known): 17-36103

Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Schmidt's Wholesale Inc. 150 Jefferson Street Monticello, NY 12701		Trade				5,644
2	Northeast Laser Grading LLC 14 Wilderness Trail Gilford, NH 03249		Trade				25,200
3	Ground Control Excavating 63 Waterbury Road Warwick, NY 10990		Trade				9,290
4	Ground Control Excavating 63 Waterbury Road Warwick, NY 10990		Trade				67,962
5	Callahan & Nannini Quarry 276 Clove Road Salisbury Mills, NY 12577		Trade				72,821
6	Chenango Contracting, Inc. c/o Pope, Schrader & Pope 2 Court Street, 4th Floor Binghamton, NY 13902		Trade				499,279
7	Musco Sports Lighting, LLC 100 1st Avenue West Oskaloosa, IA 52577		Trade				242,266
8	Holiday State Park Development, LLC 4 Executive Boulevard Suffern, NY 10901		Trade				\$12,000

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	Daniel Goldstein Trust I 4 Executive Boulevard Suffern, NY 10901		Loan				\$42,000
10	Arnold M. Schwartz 206 E. Jericho Turnpike Huntington Str., NY 11746		Loan	Disputed			\$1,450,000
11	Tilcon New York Inc. 162 Old Mill Road West Nyack, NY 10994		Trade	Disputed			\$115,146
12							
13							
14							
15							
16							
17							
18							
19							
20							

CONDON & ASSOCIATES, PLLC
55 Old Turnpike Road
Nanuet, New York 10954
Phone: (845) 627-8500
Fax: (860) 627-8507
Brian@CondonLawOffices.com

Brian K. Condon, Esq.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11

The Warwick Yard LLC,

Case No.17-36103

Debtor.

-----X

**DECLARATION OF MARK GOLDSTEIN
PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2**

Mark Goldstein, hereby declares, pursuant to 28 U.S.C. § 1746 as follows:

1. I am a managing member of Ocyard LLC, which is the managing member of The Warwick Yard LLC, the Chapter 11 debtor herein (the "Debtor") and I submit this affidavit pursuant to Rule 1007-2 of the Local Rules for the United States Bankruptcy Court for the Southern District of New York.

2. The Debtor is a New York limited liability company with its principal place of business at 120 State School Road, Warwick, New York 10990.

3. The Debtor operates a Sports complex which has open fields and covered "domed" fields for rent to sports teams and charges on a per use basis.

4. The Debtor discovered that one of its members was responsible for an unexplained shortfall on its books and records and had entered into a 99-year lease and other contracts against the best interests of the Debtor and without complete disclosure.

5. The Debtor purchased the land for 1.7 million and after fixed improvements has

increased its value to approximately 5 million.

6. This case was not originally commenced under Chapter 7 or 13 of the Bankruptcy Code.

7. The names and addresses of the Debtor's members are:

MAAA LLC
c/o ANTHONY ABBATINE
24 OLD BLACK MEADOW ROAD
CHESTER, NY 10918

DEMS Partners LLC
c/o MARK GOLSTEIN
4 EXECUTIVE BLVD.
SUFFERN, NY 10901

8. Upon information and belief, no committee was organized prior to the order for relief in this Chapter 11 case.

9. A list of the names and addresses of my 20 largest unsecured claims, excluding those who would not be entitled to vote at a creditors' meeting and creditors who are "insiders" as that term is defined in § 101(31) of the Bankruptcy Code has been filed.

10. Debtor's only secured creditor is:

Warwick Valley DLA, LLC
69 Chancellor Lane
Warwick, NY 10990

in the amount of \$1,700,000.00, which is not disputed.

11. A summary of my assets and liabilities is being filed within 14 days on my Schedules of Assets and Liabilities. The Debtor's only asset is the real property located at 120 State School Road, Warwick, New York 10990 which is valued at approximately \$5,000,000.00 and has a mortgage in the amount of \$1,700,000.00. The list of 20 largest unsecured creditors filed herewith contains all of creditors.

12. There are no shares or interests of the Debtor that are publicly held.

13. None of the Debtor's property is in the possession of any custodian, public officer,

mortgagee, pledge, assignee of rents, or secured creditor, or any agent for such entity.

14. The Debtor owns and operates out of 120 State School Road, Warwick, NY 10990.
15. The Debtor's books and records are located at the Premises.
16. "The nature and present status of each action or proceeding pending or threatened, against the Debtor or its property where a judgment against the Debtor or a seizure of its property may be imminent" is being compiled and will be filed with the Debtor's schedules.
17. The Debtor's senior management consists of myself, Oliver Papraniku and Anthony Abbatine.
18. The Debtor's weekly payroll is less than a \$1,000.00 and less than \$4,000.00 for the last 30 days.
19. Other than the payroll above, there is no other payroll.
20. The projected profit and loss statement will be filed with the schedules within 14 days.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the foregoing is true and correct.

/s/Mark Goldstein
Mark Goldstein

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11

The Warwick Yard LLC,

Case No. 17-36103

Debtor.

-----X

ORDER SCHEDULING INITIAL CASE
CONFERENCE

THE WARWICK YARD LLC (the "Debtor ") having filed a petition for reorganization under chapter 11 of the Bankruptcy Code on June 28, 2017, and the Court having determined that a case management conference will aid in the efficient conduct of the case, it is

ORDERED, pursuant to 11 U.S.C. § 105(d), that an initial case management conference will be conducted by the undersigned Bankruptcy Judge in Room ____, United States Bankruptcy Court, 355 Main Street, Poughkeepsie, NY 12601 on _____, _____, at ____: _____.m., or as soon thereafter as counsel may be heard, to consider the efficient administration of the case, which may include, *inter alia*, such topics as retention of professionals, creation of a committee to review budget and fee requests, use of alternative dispute resolution, timetables, and scheduling of additional case management conferences; and it is further

ORDERED, that the Debtor shall give notice by mail of this order at least seven days prior to the scheduled conference to each committee appointed to serve in the case pursuant to 11 U.S.C. § 1102 (or, if no committee has been appointed, to the holders of the 10 largest unsecured claims), the holders of the five (5) largest secured claims, any post-petition

lender to the Debtor, and the United States Trustee, and shall promptly file proof of service of such notice with the Clerk of the Court.

Dated: _____, New York
_____, 2017

UNITED STATES BANKRUPTCY JUDGE

17-36103

Anthony Abbatine
47 Cornfield Lane
Warwick, NY 10990

Arnold M. Schwartz
206 E Jericho Turnpike
Huntington Station, NY 11746

Callahan & Nannini Quarry, Inc.
276 Clove Road
Salisbury Mills, NY 12577

Chenango Contracting, Inc.
c/o Pope Schrader & Pope, LLC
2 Court Street, 4th Floor
Binghamton, NY 13902

Daniel Goldstein Trust I
4 Executive Blvd.
Suffern, NY 10901

Dems Partners, LLC
4 Executive Boulevard
Suffern, NY 10901

Ground Control Excavating
63 Waterbury Road
Warwick, NY 10990

Holiday State Park Development, LLC
4 Executive Boulevard
Suffern, NY 10901

Mark Goldstein
4 Executive Boulevard
Suffern, NY 10901

Musco Sports Lighting, LLC
100 1st Avenue West
Dskaloosa, IA 52577

Northeast Laser Grading, LLC
14 Wilderness Trail
Gilford, NH 03249

Schmidt's Wholesale Inc.
150 Jefferson Street

Anthony Abbatine
47 Cornfield Lane
Warwick, NY 10990

Arnold M. Schwartz
206 E Jericho Turnpike
Huntington Station, NY 11746

Callahan & Nannini Quarry, Inc.
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Suffern, NY 10901

Mark Goldstein
4 Executive Boulevard
Suffern, NY 10901

Musco Sports Lighting, LLC
100 1st Avenue West
Oskaloosa, IA 52577

Northeast Laser Grading, LLC
14 Wilderness Trail
Gilford, NH 03249

Schmidt's Wholesale Inc.
150 Jefferson Street

Tilcon New York Inc.
162 Old Mill Road
West Nyack, NY 10994

Warwick Valley DLA, LLC
69 Chancellor Lane
Warwick, NY 10990

Tilcon New York Inc.
162 Old Mill Road
West Nyack, NY 10994

Warwick Valley DLA, LLC
69 Chancellor Lane
Warwick, NY 10990

United States Bankruptcy Court
Southern District of New York

In re: The Warwick Yard LLC

Case No.

Chapter 11

Debtor(s)

Verification of Creditor Matrix

The above-named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: 06/28/2017

/s/ Mark Gadsden
Signature of Debtor

Signature of Joint Debtor