

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

Voluntary Petition

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| Name of Debtor (if individual, enter Last, First, Middle): Frumusa, Lawrence | 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) No./Complete EIN (if more than one, state all) xxx-xx-9634 | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) |
| Street Address of Debtor (No. and Street, City, and State): 1660 Lake Road Webster, NY <div style="text-align: right; margin-top: 5px;">ZIP Code 14580</div> | Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; margin-top: 5px;">ZIP Code</div> |
| County of Residence or of the Principal Place of Business: Monroe | County of Residence or of the Principal Place of Business: |
| Mailing Address of Debtor (if different from street address): <div style="text-align: right; margin-top: 5px;">ZIP Code</div> | Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; margin-top: 5px;">ZIP Code</div> |
| Location of Principal Assets of Business Debtor (if different from street address above): | |

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| Type of Debtor (Form of Organization) (Check one box) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) | Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). | Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts. |
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| Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> 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. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. | Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). |
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|---|--|---|---|---|--|--|---|---|--|--|--|--------------------------------|----------------------------------|----------------------------------|--------------------------------------|---------------------------------------|--|--|---|---------------------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|---|---|---|---|--|---|---|--|-----------------------|--|--|--|--|--|--|--|--|--|--|--|---|---|--|--|--|---|---|--|----------------------------------|
| Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. <table style="width:100%;"> <tr> <td colspan="10">Estimated Number of Creditors</td> </tr> <tr> <td><input checked="" type="checkbox"/> 1-49</td> <td><input type="checkbox"/> 50-99</td> <td><input type="checkbox"/> 100-199</td> <td><input type="checkbox"/> 200-999</td> <td><input type="checkbox"/> 1,000-5,000</td> <td><input type="checkbox"/> 5,001-10,000</td> <td><input type="checkbox"/> 10,001-25,000</td> <td><input type="checkbox"/> 25,001-50,000</td> <td><input type="checkbox"/> 50,001-100,000</td> <td><input type="checkbox"/> OVER 100,000</td> </tr> </table> <table style="width:100%;"> <tr> <td colspan="10">Estimated Assets</td> </tr> <tr> <td><input type="checkbox"/> \$0 to \$50,000</td> <td><input type="checkbox"/> \$50,001 to \$100,000</td> <td><input type="checkbox"/> \$100,001 to \$500,000</td> <td><input type="checkbox"/> \$500,001 to \$1 million</td> <td><input checked="" type="checkbox"/> \$1,000,001 to \$10 million</td> <td><input type="checkbox"/> \$10,000,001 to \$50 million</td> <td><input type="checkbox"/> \$50,000,001 to \$100 million</td> <td><input type="checkbox"/> \$100,000,001 to \$500 million</td> <td><input type="checkbox"/> \$500,000,001 to \$1 billion</td> <td><input type="checkbox"/> More than \$1 billion</td> </tr> </table> <table style="width:100%;"> <tr> <td colspan="10">Estimated Liabilities</td> </tr> <tr> <td><input type="checkbox"/> \$0 to \$50,000</td> <td><input type="checkbox"/> \$50,001 to \$100,000</td> <td><input type="checkbox"/> \$100,001 to \$500,000</td> <td><input type="checkbox"/> \$500,001 to \$1 million</td> <td><input type="checkbox"/> \$1,000,001 to \$10 million</td> <td><input checked="" type="checkbox"/> \$10,000,001 to \$50 million</td> <td><input type="checkbox"/> \$50,000,001 to \$100 million</td> <td><input type="checkbox"/> \$100,000,001 to \$500 million</td> <td><input type="checkbox"/> \$500,000,001 to \$1 billion</td> <td><input type="checkbox"/> More than \$1 billion</td> </tr> </table> | Estimated Number of Creditors | | | | | | | | | | <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 50-99 | <input type="checkbox"/> 100-199 | <input type="checkbox"/> 200-999 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> 25,001-50,000 | <input type="checkbox"/> 50,001-100,000 | <input type="checkbox"/> OVER 100,000 | Estimated Assets | | | | | | | | | | <input type="checkbox"/> \$0 to \$50,000 | <input type="checkbox"/> \$50,001 to \$100,000 | <input type="checkbox"/> \$100,001 to \$500,000 | <input type="checkbox"/> \$500,001 to \$1 million | <input checked="" type="checkbox"/> \$1,000,001 to \$10 million | <input type="checkbox"/> \$10,000,001 to \$50 million | <input type="checkbox"/> \$50,000,001 to \$100 million | <input type="checkbox"/> \$100,000,001 to \$500 million | <input type="checkbox"/> \$500,000,001 to \$1 billion | <input type="checkbox"/> More than \$1 billion | Estimated Liabilities | | | | | | | | | | <input type="checkbox"/> \$0 to \$50,000 | <input type="checkbox"/> \$50,001 to \$100,000 | <input type="checkbox"/> \$100,001 to \$500,000 | <input type="checkbox"/> \$500,001 to \$1 million | <input type="checkbox"/> \$1,000,001 to \$10 million | <input checked="" type="checkbox"/> \$10,000,001 to \$50 million | <input type="checkbox"/> \$50,000,001 to \$100 million | <input type="checkbox"/> \$100,000,001 to \$500 million | <input type="checkbox"/> \$500,000,001 to \$1 billion | <input type="checkbox"/> More than \$1 billion | THIS SPACE IS FOR COURT USE ONLY |
| Estimated Number of Creditors | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 50-99 | <input type="checkbox"/> 100-199 | <input type="checkbox"/> 200-999 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> 25,001-50,000 | <input type="checkbox"/> 50,001-100,000 | <input type="checkbox"/> OVER 100,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Estimated Assets | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> \$0 to \$50,000 | <input type="checkbox"/> \$50,001 to \$100,000 | <input type="checkbox"/> \$100,001 to \$500,000 | <input type="checkbox"/> \$500,001 to \$1 million | <input checked="" type="checkbox"/> \$1,000,001 to \$10 million | <input type="checkbox"/> \$10,000,001 to \$50 million | <input type="checkbox"/> \$50,000,001 to \$100 million | <input type="checkbox"/> \$100,000,001 to \$500 million | <input type="checkbox"/> \$500,000,001 to \$1 billion | <input type="checkbox"/> More than \$1 billion | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Estimated Liabilities | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> \$0 to \$50,000 | <input type="checkbox"/> \$50,001 to \$100,000 | <input type="checkbox"/> \$100,001 to \$500,000 | <input type="checkbox"/> \$500,001 to \$1 million | <input type="checkbox"/> \$1,000,001 to \$10 million | <input checked="" type="checkbox"/> \$10,000,001 to \$50 million | <input type="checkbox"/> \$50,000,001 to \$100 million | <input type="checkbox"/> \$100,000,001 to \$500 million | <input type="checkbox"/> \$500,000,001 to \$1 billion | <input type="checkbox"/> More than \$1 billion | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

Frumusa, Lawrence**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **WDNY**

Case Number:

09-21125

Date Filed:

4/03/09

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

Case Number:

Date Filed:

See Attachment

District:

Relationship:

Judge:

Exhibit A

(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) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

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 delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☒ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

Frumusa, Lawrence**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

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 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 chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I 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.

X /s/ Lawrence FrumusaSignature of Debtor **Lawrence Frumusa****X**

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

June 5, 2009

Date

Signature of Attorney***X /s/ Jonathan S. Pasternak**

Signature of Attorney for Debtor(s)

Jonathan S. Pasternak 6107

Printed Name of Attorney for Debtor(s)

Rattet, Pasternak & Gordon-Oliver, LLP

Firm Name

**550 Mamaroneck Avenue
Suite 510
Harrison, NY 10528**

Address

(914) 381-7400 Fax: (914) 381-7406

Telephone Number

June 5, 2009

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.

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.

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

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

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 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I 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.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy 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.

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

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 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.

In re Lawrence Frumusa, Case No. _____
Debtor

FORM 1. VOLUNTARY PETITION
Pending Bankruptcy Cases Filed Attachment

| <u>Name of Debtor / District</u> | <u>Case No. / Relationship</u> | <u>Date Filed / Judge</u> |
|---|-----------------------------------|---------------------------|
| Lawrence Frumusa Land Development LLC Western District of New York | 09-21126 Debtor is Sole Member | 04/03/09 J. Ninfo, II |
| Maincliff Properties LLC Western District of New York | 09-21124 Debtor is Sole Member | 04/03/09 J. Ninfo, II |
| Rising Tide Enterprise LLC Weststern District of New York | 09-21123 Debtor is Sole Member | 04/03/09 J. Ninfo, II |

United States Bankruptcy Court
Western District of New York

In re Lawrence Frumusa

Debtor(s)

Case No.

Chapter

11

**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 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five 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.]*

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

☐ 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.);

☐ 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.);

☐ Active military duty in a military combat zone.

☐ 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: /s/ Lawrence Frumusa
Lawrence Frumusa

Date: June 5, 2009

United States Bankruptcy Court
Western District of New York

In re **Lawrence Frumusa**

Debtor(s)

Case No. _____

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, 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; Fed. R. Bankr. P. 1007(m).

| (1) <i>Name of creditor and complete mailing address including zip code</i> | (2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | (3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | (4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i> | (5) <i>Amount of claim [if secured, also state value of security]</i> |
|---|---|--|---|--|
| Genesee Regional Bank 3300 Monrow Avenue Rochester, NY 14614 | Genesee Regional Bank 3300 Monrow Avenue Rochester, NY 14614 | Personal Guaranty on Obligation of Webster Hospitality Development LLC | Contingent Unliquidated | 9,000,000.00 |
| National City Bank 20 Stanwix Street, 18th Floor Pittsburgh, PA 15222-1323 | National City Bank 20 Stanwix Street, 18th Floor Pittsburgh, PA 15222-1323 | Personal Guaranty on Obligation of Lawrence Frumusa Land Development LLC, Phase 2 project | Contingent Unliquidated | 6,100,000.00 |
| National City Bank 20 Stanwix Street, 18th Floor Pittsburgh, PA 15222-1323 | National City Bank 20 Stanwix Street, 18th Floor Pittsburgh, PA 15222-1323 | Personal Guaranty on Obligation of Scenic Village Townhomes LLC | Contingent Unliquidated | 1,400,000.00 |
| Robert Morgan Limited, III, LLC 5 VanVoorhis Road Pittsford, NY 14534 | Robert Morgan Limited, III, LLC 5 VanVoorhis Road Pittsford, NY 14534 | Judgment | | 940,793.16 |
| Canidagua National Bank 1150 Pittsford-Victor Road Pittsford, NY 14534 | Canidagua National Bank 1150 Pittsford-Victor Road Pittsford, NY 14534 | Personal Guaranty on Obligation of Royal Crest Development LLC | Contingent | 238,000.00 |
| Wesley Belmore 267 Berg Road Ontario, NY 14519 | Wesley Belmore 267 Berg Road Ontario, NY 14519 | Judgment | Disputed | 125,514.14 |
| HSBC Bank USA PO Box 9 Buffalo, NY 14210 | HSBC Bank USA PO Box 9 Buffalo, NY 14210 | Line of Credit Used For Business | | 100,615.70 |
| Benton V. Kendig III 34 Browns Race Rochester, NY 14614 | Benton V. Kendig III 34 Browns Race Rochester, NY 14614 | Personal Guaranty on Obligation of Royal Crest Development LLC | Contingent | 93,000.00 |
| Chase Bank P.O. Box 15153 Wilmington, DE 19886 | Chase Bank P.O. Box 15153 Wilmington, DE 19886 | Credit Card Used For Business | | 71,578.00 |

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

| (1) <i>Name of creditor and complete mailing address including zip code</i> | (2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | (3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | (4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i> | (5) <i>Amount of claim [if secured, also state value of security]</i> |
|--|---|--|---|--|
| Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114 | Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114 | 2007 Income Tax Liability subject to a payment plan | | 50,000.00 |
| FIA Card Services PO Box 15726 Wilmington, DE 19886 | FIA Card Services PO Box 15726 Wilmington, DE 19886 | Credit Card Used For Business | | 38,324.00 |
| Valoree Frumusa c/o David Rasmussen Davidson Fink LLP 28 East Main Street, Suite 1700 Rochester, NY 14614 | Valoree Frumusa c/o David Rasmussen Davidson Fink LLP Rochester, NY 14614 | | Contingent Disputed | 38,000.00 |
| GE Consumer & Industrial Products 721 Visions Drive Skaneateles, NY 13152 | GE Consumer & Industrial Products 721 Visions Drive Skaneateles, NY 13152 | Judgment | | 37,119.00 |
| John Lockwood 341 County Line Road Webster, NY 14519 | John Lockwood 341 County Line Road Webster, NY 14519 | Judgment | | 30,113.00 |
| Comfort Systems USA (Syracuse) Inc. 6500 New Venture Gear Dr. E. Syracuse, NY 13057 | Comfort Systems USA (Syracuse) Inc. 6500 New Venture Gear Dr. E. Syracuse, NY 13057 | Judgment | | 23,016.61 |
| Home Depot Credit Services PO Box 9172 Des Moines, IA 50368 | Home Depot Credit Services PO Box 9172 Des Moines, IA 50368 | Credit Card Used For Business | | 19,611.47 |
| Joseph R. Barone, Jr. c/o Relin, Goldstein & Crane, LLP 28 East Main Street, Suite 1800 Rochester, NY 14614 | Joseph R. Barone, Jr. c/o Relin, Goldstein & Crane, LLP 28 East Main Street, Suite 1800 Rochester, NY 14614 | Goods Sold and Delivered | | 17,478.65 |
| M&T Bank PO Box 767 Buffalo, NY 14240 | M&T Bank PO Box 767 Buffalo, NY 14240 | Line of Credit Used For Business | | 15,176.00 |
| American General Finance Baytown Plaza 1900 Empire Blvd. Webster, NY 14580 | American General Finance Baytown Plaza 1900 Empire Blvd. Webster, NY 14580 | Credit Card Used For Business | | 12,473.00 |
| Capitol One PO Box 71083 Charlotte, NC 28272 | Capitol One PO Box 71083 Charlotte, NC 28272 | Credit Card Used For Business | | 10,320.32 |

In re **Lawrence Frumusa**

Debtor(s)

Case No. _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

I, **Lawrence Frumusa**, the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **June 5, 2009**

Signature **/s/ Lawrence Frumusa**

Lawrence Frumusa

Debtor

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.

United States Bankruptcy Court
Western District of New York

In re **Lawrence Frumusa**,
 Debtor

Case No. _____

Chapter **11**

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 must also 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 | 1,840,000.00 | | |
| B - Personal Property | Yes | 4 | 6,767,260.00 | | |
| C - Property Claimed as Exempt | Yes | 1 | | | |
| D - Creditors Holding Secured Claims | Yes | 2 | | 495,917.79 | |
| E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E) | Yes | 3 | | 88,000.00 | |
| F - Creditors Holding Unsecured Nonpriority Claims | Yes | 6 | | 18,301,319.06 | |
| G - Executory Contracts and Unexpired Leases | Yes | 1 | | | |
| H - Codebtors | Yes | 1 | | | |
| I - Current Income of Individual Debtor(s) | Yes | 1 | | | 14,750.00 |
| J - Current Expenditures of Individual Debtor(s) | Yes | 2 | | | 13,474.25 |
| Total Number of Sheets of ALL Schedules | | 22 | | | |
| Total Assets | | | 8,607,260.00 | | |
| Total Liabilities | | | | 18,885,236.85 | |

United States Bankruptcy Court
Western District of New York

In re **Lawrence Frumusa**,
 Debtor

Case No. _____

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 | Amount |
|---|--------|
| Domestic Support Obligations (from Schedule E) | |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E) | |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) | |
| Student Loan Obligations (from Schedule F) | |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E | |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F) | |
| TOTAL | |

State the following:

| | |
|---|--|
| Average Income (from Schedule I, Line 16) | |
| Average Expenses (from Schedule J, Line 18) | |
| Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20) | |

State the following:

| | | |
|--|--|--|
| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column | | |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column | | |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column | | |
| 4. Total from Schedule F | | |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4) | | |

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

| 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 |
|---|---|------------------------------------|--|-------------------------|
| 154 North Street, Webster, New York 14580 Single Family Home | Fee simple | H | 167,000.00 | 75,000.00 |
| 53 Kittelberger Park, Webster, New York 14580 2 Family Home | Fee simple | H | 66,000.00 | 55,000.00 |
| 1069 Gravel Road, Webster, New York 14580 2 Acre Property with single family home and car wash land lease | Fee simple | H | 210,000.00 | 160,620.00 |
| Route 350 Ontario Center, Ontario, New York Vacant Land | Fee simple | H | 85,000.00 | 84,000.00 |
| 247 Baneberry Way, Hilton, New York 14468 Single Family Home (subject to a Contract of Sale for value stated) | Fee simple | H | 177,000.00 | 121,297.79 |
| 7430 Leroy Island, Huron, New York 14950 | Equitable Interest | W | 260,000.00 | 258,000.00 |
| 1664 Lake Road, Webster, New York 14560 Debtor's Primary Residence Single Family Home, 8 acre property | Equitable Interest | W | 875,000.00 | 700,000.00 |

Sub-Total > **1,840,000.00** (Total of this page)

Total > **1,840,000.00**

0 continuation sheets attached to the Schedule of Real Property

(Report also on Summary of Schedules)

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petitioner is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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).

| Type of Property | N O N E | Description and Location of Property | Husband, Wife, Joint, or Community | Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption |
|--|------------------|---|---|---|
| 1. Cash on hand | | Cash | H | 540.00 |
| 2. 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. | | Genesee Regional Bank, Account No. 210005865 | H | 0.00 |
| | | JP Morgan Chase Bank, Account No. 788317212 | H | 0.00 |
| | | HSBC, Account No. 558459471 | J | 0.00 |
| | | HSBC, Savings Account No. 558609252 | J | 0.00 |
| | | Bank of America, Account No. 4835409474 | J | 0.00 |
| 3. Security deposits with public utilities, telephone companies, landlords, and others. | X | | | |
| 4. Household goods and furnishings, including audio, video, and computer equipment. | | Various Household Goods and Furnishings | J | 4,500.00 |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles. | X | | | |
| 6. Wearing apparel. | | Various Clothing | H | 1,000.00 |
| 7. Furs and jewelry. | X | | | |
| 8. Firearms and sports, photographic, and other hobby equipment. | X | | | |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each. | X | | | |
| 10. Annuities. Itemize and name each issuer. | X | | | |
| Sub-Total > | | | | 6,040.00 |
| (Total of this page) | | | | |

3 continuation sheets attached to the Schedule of Personal Property

Case 2-09-21527-JCN Doc 1 Filed 06/05/09 Entered 06/05/09 16:02:13 Desc Main

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| Type of Property | N O N E | Description and Location of Property | Husband, Wife, Joint, or Community | Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption |
|---|------------------|--|---|---|
| 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 | | | |
| 12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars. | | Equity Trust IRA | - | 464,139.00 |
| 13. Stock and interests in incorporated and unincorporated businesses. Itemize. | | 100% Lawrence Frumusa Land Development, LLC | H | 1,400,000.00 |
| | | 100% - L Frumusa Family Enterprise P1 LLC | H | 2,100,000.00 |
| | | 100% - Scenic Village Townhomes | H | 200,000.00 |
| | | 75% Webster Hospitality Development LLC Currently in Possession of State Court Appointed Receiver | H | 2,155,491.00 |
| | | 100% Maincliff Properties LLC | H | 50,000.00 |
| | | 100% Rising Tide Enterprise LLC | H | 140,000.00 |
| | | 100% Parkside Village LLC dormant entity | H | 0.00 |
| | | 52% Frumusa Enterprise LLC | H | 75,000.00 |
| | | 100% Scenic Village Apartment Homes LLC | H | 75,000.00 |
| | | 52% Royal Crest Development | H | 10,000.00 |
| 14. Interests in partnerships or joint ventures. Itemize. | X | | | |
| 15. Government and corporate bonds and other negotiable and nonnegotiable instruments. | X | | | |
| 16. Accounts receivable. | X | | | |
| 17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars. | X | | | |

Sub-Total > **6,669,630.00**
(Total of this page)

Sheet **1** of **3** continuation sheets attached
to the Schedule of Personal Property

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| Type of Property | N O N E | Description and Location of Property | Husband, Wife, Joint, or Community | Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption |
|---|------------------|---|---|---|
| 18. Other liquidated debts owed to debtor including tax refunds. Give particulars. | X | | | |
| 19. 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. | X | | | |
| 20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust. | X | | | |
| 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. | X | | | |
| 22. Patents, copyrights, and other intellectual property. Give particulars. | X | | | |
| 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. | X | | | |
| 25. Automobiles, trucks, trailers, and other vehicles and accessories. | | 1994 Jeep Grand Cherokee, 158,500 miles, fair condition (value from Kelly Blue Book) | H | 1,620.00 |
| | | 1994 Saturn SL1 Sedan, 162,000 miles, fair condition (Value from Kelly Blue Book) | H | 585.00 |
| | | 2004 Jeep Grand Cherokee, 89,570 miles, Fair Condition (Value from Kelly Blue Book) | H | 6,750.00 |

Sub-Total > **8,955.00**
(Total of this page)

Sheet 2 of 3 continuation sheets attached
to the Schedule of Personal Property

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| Type of Property | N O N E | Description and Location of Property | Husband, Wife, Joint, or Community | Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption |
|--|------------------|--|---|---|
| | | 2000 GMC Yukon XL, 141,200 miles, fair condition (Value from Kelly Blue Book) | H | 5,565.00 |
| | | 1979 Corvette | H | 10,000.00 |
| | | 1953 Cadillac | H | 15,000.00 |
| 26. Boats, motors, and accessories. | | 1993 Quantum 2100, power boat | H | 2,070.00 |
| 27. Aircraft and accessories. | X | | | |
| 28. Office equipment, furnishings, and supplies. | X | | | |
| 29. Machinery, fixtures, equipment, and supplies used in business. | X | | | |
| 30. Inventory. | X | | | |
| 31. Animals. | | Horse | J | 50,000.00 |
| 32. Crops - growing or harvested. Give particulars. | X | | | |
| 33. Farming equipment and implements. | X | | | |
| 34. Farm supplies, chemicals, and feed. | X | | | |
| 35. Other personal property of any kind not already listed. Itemize. | X | | | |

| | |
|----------------------|---------------------|
| Sub-Total > | 82,635.00 |
| (Total of this page) | |
| Total > | 6,767,260.00 |

Sheet **3** of **3** continuation sheets attached
to the Schedule of Personal Property

(Report also on Summary of Schedules)

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE C - PROPERTY CLAIMED AS EXEMPTDebtor claims the exemptions to which debtor is entitled under:
(Check one box)☐ 11 U.S.C. §522(b)(2)☒ 11 U.S.C. §522(b)(3)☐ Check if debtor claims a homestead exemption that exceeds
\$136,875.

| Description of Property | Specify Law Providing Each Exemption | Value of Claimed Exemption | Current Value of Property Without Deducting Exemption |
|--|--|----------------------------|---|
| <u>Cash on Hand</u> | | | |
| Cash | Debtor & Creditor Law § 283(2) | 540.00 | 540.00 |
| <u>Household Goods and Furnishings</u> | | | |
| Various Houshold Goods and Furnishings | NYCPLR § 5205(a) | 4,500.00 | 4,500.00 |
| <u>Interests in IRA, ERISA, Keogh, or Other Pension or Profit Sharing Plans</u> | | | |
| Equity Trust IRA | Debtor & Creditor Law § 282(2)(e) | 464,139.00 | 464,139.00 |
| <u>Automobiles, Trucks, Trailers, and Other Vehicles</u> | | | |
| 2000 GMC Yukon XL, 141,200 miles, fair condition (Value from Kelly Blue Book) | Debtor & Creditor Law § 282(1) | 2,400.00 | 5,565.00 |
| <u>Animals</u> | | | |
| Horse | NYCPLR § 5205(a)(4) | 5,000.00 | 50,000.00 |

Total: **476,579.00** **524,744.00**0 continuation sheets attached to Schedule of Property Claimed as Exempt

In re **Lawrence Frumusa**

Case No. _____

Debtor

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 a creditor, 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" 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" 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 ACCOUNT NUMBER (See instructions above.) | C O D E B T O R | H U S B A N D W I F E J O I N T C O M M U N I T Y | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
|--|--------------------------------------|---|--|--|--|--------------------------------------|--|---------------------------------|
| | | | | | | | | |
| Account No. | | | 247 Baneberry Way, Hilton, New York 14468 | | | | | |
| American General Finance Baytown Plaza 1900 Empire Blvd. Webster, NY 14580 | | - | Single Family Home (subject to a Contract of Sale for value stated) | | | | | |
| | | | Value \$ 177,000.00 | | | | 121,297.79 | 0.00 |
| Account No. | | | 1069 Gravel Road, Webster, New York 14580 | | | | | |
| Apex Mortgage 185 Commerce Drive Unit 102 Fort Washington, PA 19034 | | - | 2 Acre Property with single family home and car wash land lease | | | | | |
| | | | Value \$ 210,000.00 | | | | 160,620.00 | 0.00 |
| Account No. XXXX5932 | | | 154 North Street, Webster, New York 14580 | | | | | |
| JP Morgan Chase Bank, N.A. PO Box 78116 Phoenix, AZ 85062 | | - | Single Family Home | | | | | |
| | | | Value \$ 167,000.00 | | | | 75,000.00 | 0.00 |
| Account No. XXXX 1430 | | | 53 Kittelberger Park, Webster, New York 14580 | | | | | |
| JP Morgan Chase Bank, N.A. PO Box 786116 Phoenix, AZ 85062 | | - | 2 Family Home | | | | | |
| | | | Value \$ 66,000.00 | | | | 55,000.00 | 0.00 |
| Subtotal (Total of this page) | | | | | | | 411,917.79 | 0.00 |

1 continuation sheets attached

In re Lawrence Frumusa,
Debtor

Case No. _____

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS
(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.) | C O D E B O R R | H W J C | Husband, Wife, Joint, or Community | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
|--|--------------------------------------|------------------|--|--|--|--------------------------------------|--|---------------------------------|
| | | | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | | | | | |
| Account No. | | | Route 350 Ontario Center, Ontario, New York | | | | | |
| New York Income Partners II, LLC 3445 Winton Place Webster, NY 14580 | | - | Vacant Land | | | | | |
| | | | Value \$ 85,000.00 | | | | 84,000.00 | 0.00 |
| Account No. | | | | | | | | |
| | | | | | | | | |
| | | | Value \$ | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |
| | | | Value \$ | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |
| | | | Value \$ | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |
| | | | Value \$ | | | | | |
| Subtotal (Total of this page) | | | | | | | 84,000.00 | 0.00 |
| Total (Report on Summary of Schedules) | | | | | | | 495,917.79 | 0.00 |

Sheet 1 of 1 continuation sheets attached to
Schedule of Creditors Holding Secured Claims

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

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. If a minor child is a 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 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.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ 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)**☒ 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 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 11 U.S.C. § 507(a)(1).

☐ 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 \$10,950* 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 \$5,400* 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 \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that 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 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 April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re Lawrence Frumusa
Debtor

Case No. _____

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS
(Continuation Sheet)**Domestic Support Obligations**

TYPE OF PRIORITY

| CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.) | C O D E B T O R | H W J C | Husband, Wife, Joint, or Community | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | AMOUNT OF CLAIM | AMOUNT NOT ENTITLED TO PRIORITY, IF ANY |
|--|--------------------------------------|------------------|------------------------------------|--|--|--------------------------------------|--------------------|---|
| | | | | | | | | AMOUNT ENTITLED TO PRIORITY |
| Account No. | | | | | | | | |
| Valoree Frumusa c/o David Rasmussen Davidson Fink LLP 28 EAst Main Street, Suite 1700 Rochester, NY 14614 | | - | | X | | X | 38,000.00 | 0.00 |
| | | | | | | | | 38,000.00 |
| Account No. | | | | | | | | |
| | | | | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |
| Subtotal | | | | | | | 38,000.00 | 0.00 |
| (Total of this page) | | | | | | | 38,000.00 | 38,000.00 |

Sheet 1 of 2 continuation sheets attached to
Schedule of Creditors Holding Unsecured Priority Claims

In re Lawrence Frumusa
Debtor

Case No. _____

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS
(Continuation Sheet)**Taxes and Certain Other Debts
Owed to Governmental Units**

TYPE OF PRIORITY

| CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.) | C O D E B O R | H W J C | Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | AMOUNT OF CLAIM | AMOUNT NOT ENTITLED TO PRIORITY, IF ANY |
|---|---------------------------------|------------------|--|--|--|--------------------------------------|--------------------|---|
| | | | | | | | | AMOUNT ENTITLED TO PRIORITY |
| Account No. | | | 2007 Income Tax Liability subject to a payment plan | | | | | |
| Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114 | | - | | | | | | 0.00 |
| | | | | | | | 50,000.00 | 50,000.00 |
| Account No. | | | | | | | | |
| | | | | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |
| Account No. | | | | | | | | |
| | | | | | | | | |

Sheet 2 of 2 continuation sheets attached to
Schedule of Creditors Holding Unsecured Priority ClaimsSubtotal
(Total of this page)**50,000.00** **0.00**

Total

(Report on Summary of Schedules)

88,000.00 **0.00**

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the 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. If a minor child is a 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). Do not include claims listed in Schedules D and E. If all 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.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

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

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | C O D E B T O R | H U S B A N D W I F E J O I N T C O M M U N I T Y | D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M. I F C L A I M I S S U B J E C T T O S E T O F F, S O S T A T E. | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | A M O U N T O F C L A I M |
|---|--------------------------------------|---|--|--|--|--------------------------------------|---|
| | | | | | | | |
| Account No. XXXXx-x1000 American Express PO Box 1270 Newark, NJ 07101 | | - | Credit Card Used For Business | | | | 6,261.00 |
| Account No. XXXX2380 American General Finance Baytown Plaza 1900 Empire Blvd. Webster, NY 14580 | | - | Credit Card Used For Business | | | | 12,473.00 |
| Account No. Benton V. Kendig III 34 Browns Race Rochester, NY 14614 | X | - | Personal Guaranty on Obligation of Royal Crest Development LLC | X | | | 93,000.00 |
| Account No. XXXX1146 Best Buy PO Box 88000 Baltimore, MD 21288 | | - | Reward Zone Mastercard Used For Business | | | | 2,463.38 |
| Subtotal (Total of this page) | | | | | | | 114,197.38 |

5 continuation sheets attached

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | C O D E B O R | H W J C | Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | AMOUNT OF CLAIM |
|--|---------------------------------|------------------|---|--|--|--------------------------------------|--|
| Account No. Canidagua National Bank 1150 Pittsford-Victor Road Pittsford, NY 14534 | X | - | Personal Guaranty on Obligation of Royal Crest Development LLC | X | | | 238,000.00 |
| Account No. Capitol One PO Box 71083 Charlotte, NC 28272 | | - | Credit Card Used For Business | | | | 10,320.32 |
| Account No. XXXX 2380 Chase Bank P.O. Box 15153 Wilmington, DE 19886 | X | - | Credit Card Used For Business | | | | 71,578.00 |
| Account No. XXXX 0428 Chase Bank PO Box 15153 Wilmington, DE 19886 | | - | Credit Card Used For Business | | | | 2,559.00 |
| Account No. XXXX6096 Chase Bank PO Box 15153 Wilmington, DE 19886 | | - | Credit Card Used For Business | | | | 1,623.00 |
| Sheet no. <u>1</u> of <u>5</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims | | | | | | | Subtotal (Total of this page) 324,080.32 |

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | C O D E B O R | H W J C | Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | AMOUNT OF CLAIM |
|---|---------------------------------|------------------|---|--|--|--------------------------------------|---|
| Account No. Comfort Systems USA (Syracuse) Inc. 6500 New Venture Gear Dr. E. Syracuse, NY 13057 | | - | Judgment | | | | 23,016.61 |
| Account No. XXXX7585 FIA Card Services PO Box 15726 Wilmington, DE 19886 | | - | Credit Card Used For Business | | | | 38,324.00 |
| Account No. GE Consumer & Industrial Products 721 Visions Drive Skaneateles, NY 13152 | | - | Judgment | | | | 37,119.00 |
| Account No. Genesee Regional Bank 3300 Monrow Avenue Rochester, NY 14614 | X | - | Personal Guaranty on Obligation of Webster Hospitality Development LLC | X | X | | 9,000,000.00 |
| Account No. XXXX 8388 Home Depot Credit Services PO Box 9172 Des Moines, IA 50368 | | - | Credit Card Used For Business | | | | 19,611.47 |
| Sheet no. 2 of 5 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims | | | | | | | Subtotal (Total of this page) 9,118,071.08 |

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | C O D E B O R R | Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | AMOUNT OF CLAIM |
|---|--------------------------------------|---|--|--|--------------------------------------|---------------------|
| Account No. XXXX 7408 HSBC Bank USA PO Box 9 Buffalo, NY 14210 | | Line of Credit Used For Business | | | | 100,615.70 |
| Account No. John Lockwood 341 County Line Road Webster, NY 14519 | | Judgment | | | | 30,113.00 |
| Account No. Joseph R. Barone, Jr. c/o Relin, Goldstein & Crane, LLP 28 East Main Street, Suite 1800 Rochester, NY 14614 | | Goods Sold and Delivered | | | | 17,478.65 |
| Account No. XXXX6001 M&T Bank PO Box 767 Buffalo, NY 14240 | | Line of Credit Used For Business | | | | 15,176.00 |
| Account No. National City Bank 20 Stanwix Street, 18th Floor Pittsburgh, PA 15222-1323 | X | Personal Guaranty on Obligation of Lawrence Frumusa Land Development LLC, Phase 2 project | X | X | | 6,100,000.00 |
| Sheet no. 3 of 5 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims <div style="float: right;"> Subtotal (Total of this page) </div> | | | | | | 6,263,383.35 |

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | C O D E B O R R | H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y | D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M. I F C L A I M I S S U B J E C T T O S E T O F F, S O S T A T E. | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | A M O U N T O F C L A I M |
|---|--------------------------------------|--|--|--|--|--------------------------------------|---|
| | | | | | | | |
| Account No. | | | | | | | |
| National City Bank 20 Stanwix Street, 18th Floor Pittsburgh, PA 15222-1323 | X | - | Personal Guaranty on Obligation of Scenic Village Townhomes LLC | X | X | | 1,400,000.00 |
| Account No. | | | | | | | |
| Raymour & Flanigan Furniture PO Box 130 Liverpool, NY 13088 | | - | | | | | 792.84 |
| Account No. | | | | | | | |
| Robert Morgan Limited, III, LLC 5 VanVoorhis Road Pittsford, NY 14534 | X | - | Judgment | | | | 940,793.16 |
| Account No. | | | | | | | |
| Rochester Equipment & Maintenance PO Box 202 Union Hill, NY 14563 | | - | Equipment Rental Used for Business | | | | 6,976.04 |
| Account No. | | | | | | | |
| Sherwin Williams Co. 916 Sheraton Drive Mars, PA 16046 | | - | Judgment | | | | 2,639.96 |
| Sheet no. 4 of 5 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims | | | | | | | Subtotal (Total of this page) |
| | | | | | | | 2,351,202.00 |

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | C O D E B O R | Husband, Wife, Joint, or Community | C O N T I N G E N T | U N L I Q U I D A T E D | D I S P U T E D | AMOUNT OF CLAIM |
|---|---------------------------------|------------------------------------|--|--|--------------------------------------|---|
| | | H W J C | | | | |
| Account No. | | XXXX 1248 | | | | |
| Staples Credit Plan PO Box 689020 Des Moines, IA 50368 | - | | | | | 4,870.79 |
| Account No. | | Judgment | | | | |
| Wesley Belmore 267 Berg Road Ontario, NY 14519 | - | | | | X | 125,514.14 |
| Account No. | | | | | | |
| | | | | | | |
| Account No. | | | | | | |
| | | | | | | |
| Account No. | | | | | | |
| | | | | | | |
| Sheet no. <u>5</u> of <u>5</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims | | | | | | Subtotal (Total of this page) |
| | | | | | | 130,384.93 |
| | | | | | | Total (Report on Summary of Schedules) |
| | | | | | | 18,301,319.06 |

In re Lawrence Frumusa

Case No. _____

Debtor

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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).

☐ 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. |
|--|--|
| Kevin C. Jarrett 1127 Long Pond Road Rochester, NY 14626 | Contract of Sale for 247 Baneberry Way |

In re **Lawrence Frumusa**

Case No. _____

Debtor

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. 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 the eight year period 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, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a 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).

☐ Check this box if debtor has no codebtors.

| NAME AND ADDRESS OF CODEBTOR | NAME AND ADDRESS OF CREDITOR |
|---|---|
| Frumusa Enterprise LLC 28 Railroad St. Webster, NY 14580 | Chase Bank P.O. Box 15153 Wilmington, DE 19886 |
| Lawrence Frumusa Land Development, LLC 28 Rail Road Street Webster, NY 14580 | Robert Morgan Limited, III, LLC 5 VanVoorhis Road Pittsford, NY 14534 |
| Lawrence Frumusa Land Development, LLC 28 Rail Road Street Webster, NY 14580 | National City Bank 20 Stanwix Street, 18th Floor Pittsburgh, PA 15222-1323 |
| Maincliff Properties 28 Rail Road Street Webster, NY 14580 | Robert Morgan Limited, III, LLC 5 VanVoorhis Road Pittsford, NY 14534 |
| Rising Tide Enterprises LLC 28 Railroad Street Webster, NY 14580 | Robert Morgan Limited, III, LLC 5 VanVoorhis Road Pittsford, NY 14534 |
| Royal Crest Development LLC 28 Rail Road Street Webster, NY 14580 | Canidagua National Bank 1150 Pittsford-Victor Road Pittsford, NY 14534 |
| Royal Crest Development LLC 28 Rail Road Street Webster, NY 14580 | Benton V. Kendig III 34 Browns Race Rochester, NY 14614 |
| Scenic Village Townhomes LLC 28 Rail Road Street Webster, NY 14580 | National City Bank 20 Stanwix Street, 18th Floor Pittsburgh, PA 15222-1323 |
| Valoree A. Frumusa c/o David Rasmussen Davidson Fink LLP 28 East Main Street, Suite 1700 Rochester, NY 14614 | Robert Morgan Limited, III, LLC 5 VanVoorhis Road Pittsford, NY 14534 |
| Webster Hospitality Development LLC 860 Holt Road Webster, NY 14580 | Genesee Regional Bank 3300 Monrow Avenue Rochester, NY 14614 |

In re **Lawrence Frumusa**

Debtor(s)

Case No. _____

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

| | | |
|--------------------------|---------------------------------|-----------|
| Debtor's Marital Status: | DEPENDENTS OF DEBTOR AND SPOUSE | |
| Married | RELATIONSHIP(S): | AGE(S): |
| | Daughter | 18 |
| | Son | 21 |
| Employment: | DEBTOR | SPOUSE |
| Occupation | Real Estate Development | |
| Name of Employer | Self | |
| How long employed | 30 years | |
| Address of Employer | | |

INCOME: (Estimate of average or projected monthly income at time case filed)

1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)

2. Estimate monthly overtime

| DEBTOR | SPOUSE |
|--------------------|---------------|
| \$ 3,500.00 | \$ N/A |
| \$ 0.00 | \$ N/A |

3. SUBTOTAL

| | |
|--------------------|---------------|
| \$ 3,500.00 | \$ N/A |
|--------------------|---------------|

4. LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

b. Insurance

c. Union dues

d. Other (Specify): _____

| | |
|----------------|---------------|
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |

5. SUBTOTAL OF PAYROLL DEDUCTIONS

| | |
|----------------|---------------|
| \$ 0.00 | \$ N/A |
|----------------|---------------|

6. TOTAL NET MONTHLY TAKE HOME PAY

| | |
|--------------------|---------------|
| \$ 3,500.00 | \$ N/A |
|--------------------|---------------|

7. Regular income from operation of business or profession or farm (Attach detailed statement)

8. Income from real property

9. Interest and dividends

10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above

11. Social security or government assistance (Specify): _____

| | |
|---------------------|---------------|
| \$ 0.00 | \$ N/A |
| \$ 11,250.00 | \$ N/A |
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |

12. Pension or retirement income

13. Other monthly income (Specify): _____

| | |
|----------------|---------------|
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |
| \$ 0.00 | \$ N/A |

14. SUBTOTAL OF LINES 7 THROUGH 13

| | |
|---------------------|---------------|
| \$ 11,250.00 | \$ N/A |
|---------------------|---------------|

15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)

| | |
|---------------------|---------------|
| \$ 14,750.00 | \$ N/A |
|---------------------|---------------|

16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

| | |
|---------------------|--|
| \$ 14,750.00 | |
|---------------------|--|

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

In re **Lawrence Frumusa**

Debtor(s)

Case No.

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

| | | |
|--|----|------------------|
| 1. Rent or home mortgage payment (include lot rented for mobile home) | \$ | 4,100.00 |
| a. Are real estate taxes included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | |
| b. Is property insurance included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | |
| 2. Utilities: | \$ | 225.00 |
| a. Electricity and heating fuel | \$ | 0.00 |
| b. Water and sewer | \$ | 65.00 |
| c. Telephone | \$ | 265.00 |
| d. Other See Detailed Expense Attachment | \$ | 305.00 |
| 3. Home maintenance (repairs and upkeep) | \$ | 700.00 |
| 4. Food | \$ | 0.00 |
| 5. Clothing | \$ | 0.00 |
| 6. Laundry and dry cleaning | \$ | 0.00 |
| 7. Medical and dental expenses | \$ | 0.00 |
| 8. Transportation (not including car payments) | \$ | 0.00 |
| 9. Recreation, clubs and entertainment, newspapers, magazines, etc. | \$ | 0.00 |
| 10. Charitable contributions | \$ | 0.00 |
| 11. Insurance (not deducted from wages or included in home mortgage payments) | | |
| a. Homeowner's or renter's | \$ | 0.00 |
| b. Life | \$ | 40.82 |
| c. Health | \$ | 0.00 |
| d. Auto | \$ | 80.00 |
| e. Other | \$ | 0.00 |
| 12. Taxes (not deducted from wages or included in home mortgage payments) (Specify) | \$ | 0.00 |
| 13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan) | | |
| a. Auto | \$ | 0.00 |
| b. Other 2nd Mortgage | \$ | 1,293.00 |
| c. Other | \$ | 0.00 |
| 14. Alimony, maintenance, and support paid to others | \$ | 0.00 |
| 15. Payments for support of additional dependents not living at your home | \$ | 0.00 |
| 16. Regular expenses from operation of business, profession, or farm (attach detailed statement) | \$ | 6,400.43 |
| 17. Other | \$ | 0.00 |
| Other | \$ | 0.00 |
| 18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.) | \$ | 13,474.25 |
| 19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document: | | |

20. STATEMENT OF MONTHLY NET INCOME

| | | |
|--|----|------------------|
| a. Average monthly income from Line 15 of Schedule I | \$ | 14,750.00 |
| b. Average monthly expenses from Line 18 above | \$ | 13,474.25 |
| c. Monthly net income (a. minus b.) | \$ | 1,275.75 |

In re **Lawrence Frumusa**

Case No. _____

Debtor(s)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)
Detailed Expense Attachment

Other Utility Expenditures:

| | | |
|---|----|---------------|
| Cable | \$ | 145.00 |
| Oil | \$ | 120.00 |
| Total Other Utility Expenditures | \$ | 265.00 |

United States Bankruptcy Court
Western District of New York

In re **Lawrence Frumusa**
Debtor(s)

Case No. _____
Chapter **11**

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of
24 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date **June 5, 2009**

Signature **/s/ Lawrence Frumusa**
Lawrence Frumusa
Debtor

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.

United States Bankruptcy Court Western District of New York

In re Lawrence Frumusa

Debtor(s)

Case No.

Chapter

11

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

1. Income from employment or operation of business

None

☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

\$0.00**\$199,652.00**

SOURCE

2008: tax returns on extension - amount unknown at this time**2007:**

2. Income other than from employment or operation of business

None

☒

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

- ☒ a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (*) 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 creditor counseling agency. (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 | DATES OF PAYMENTS | AMOUNT PAID | AMOUNT STILL OWING |
|---------------------------------|----------------------|-------------|-----------------------|
|---------------------------------|----------------------|-------------|-----------------------|

None

- ☒ 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 \$5,475. 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 creditor counseling agency. (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 | DATES OF PAYMENTS/ TRANSFERS | AMOUNT PAID OR VALUE OF TRANSFERS | AMOUNT STILL OWING |
|------------------------------|------------------------------------|--|-----------------------|
|------------------------------|------------------------------------|--|-----------------------|

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 |
|---|-----------------------|---------------------|-----------------------|
| Holt Road Center LLC c/o Norm Spindelman 295 Woodcliff Drive, Suite 200 Fairport, NY 14450 Paid on behalf of affiliate Webster Hospitality Development LLC | December, 2008 | \$125,000.00 | \$0.00 |

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 | NATURE OF PROCEEDING | COURT OR AGENCY AND LOCATION | STATUS OR DISPOSITION |
|--|--------------------------|---|---------------------------------|
| Robert Morgan Limited III LLC v. Lawrence Frumusa, et. al., Index No. 2008/15364 | Collection Action | New York State Supreme Court, Monroe County | Judgment |
| Wesley Belmore v. Lawrence Fumusa, Index No. 2009/2975 | | Webster Town Court, County of Monroe | Judgment, Appeal Pending |
| John Lockwood Plumbing LLC, John Lockwood v. Larry Frumusa and Frumusa Enterprises, Index No. 2009/1892 | | New York State Supreme Court, County of Monroe | Judgment |

| CAPTION OF SUIT AND CASE NUMBER | NATURE OF PROCEEDING | COURT OR AGENCY AND LOCATION | STATUS OR DISPOSITION |
|---|----------------------------|---|--|
| Comfort Systems USA Syracuse Inc. v. Larry Frumusa and Webster Hospitality Development LLC, Index No. 2009/6336 | | New York State Supreme Court, County of Onondaga | Judgment |
| Sherwin Williams Co. v. Lawrence Frumusa, Index No. 2008/11573 | | New York State Supreme Court, Orange County | Judgment |
| GE Consumer & Industrial Products v. Larry Frumsa [sic], 2009/13013 | | New York Supreme Court, County of Onondaga | Judgment |
| Marianela Hernandez individually and as a member of Webster Hospitality v. Lawrence Frumusa and Todd Thompson, Index No. 1714/09 | Partnership Dispute | New York State Supreme Court, Monroe County | Receiver Appointed, Stayed as a result of an Involuntary Bankruptcy Proceeding filed against Webster Hospitality Development, LLC |
| Valoree Frumusa v. Lawrence Frumusa, Index No. 2008-8681 | Divorce | New York State Supreme Court, County of Monroe | Awaiting Decision on Grounds Trial |

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.)

| NAME AND ADDRESS OF CREDITOR OR SELLER | DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN | DESCRIPTION AND VALUE OF 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.)

| NAME AND ADDRESS OF ASSIGNEE | DATE OF ASSIGNMENT | TERMS OF 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 OF CUSTODIAN | NAME AND LOCATION OF COURT CASE TITLE & NUMBER | DATE OF ORDER | DESCRIPTION AND VALUE OF PROPERTY |
|---|---|------------------|--|
| Leonard Relin One East Main Street Rochester, NY 14614 | New York State Supreme Court, Robert Morgan Limited, III, LLC v. Lawrence Frumusa, 08/15364 | 4/7/09 | Receiver appointed but no property actually in possession of receiver. |
| Timothy Foster 45 East Avenue Rochester, NY 14606 | New York State Supreme Court, Monroe County, Marianela Hernandez, individually and derivatively as a member of Webster Hospitality Development, LLC v. Lawrence Frumusa and Todd Thompson, Index No. 1714-09 | 2/13/09 | Webster Hospitality Development, LLC, owner of Holiday Inn Express Hotel in Webster, New York. (Currently in Chapter 11, W.D.N.Y. Case No. 09-20753 J. Ninio, II) |

7. Gifts

- None ☒ 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 OF PERSON OR ORGANIZATION | RELATIONSHIP TO DEBTOR, IF ANY | DATE OF GIFT | DESCRIPTION AND VALUE OF GIFT |
|---|-----------------------------------|--------------|----------------------------------|
|---|-----------------------------------|--------------|----------------------------------|

8. Losses

- None ☒ 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 AND VALUE OF PROPERTY | DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS | DATE OF 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 the 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 OF PROPERTY |
|--|---|--|
| Rattet, Pasternak & Gordon-Oliver, LLP 550 Mamaroneck Avenue Harrison, NY 10528 | May 27, 2009, Frumusa Enterprises LLC | \$25,000 |

10. Other transfers

- None ☒ 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'S 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 filing 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 filed, unless the spouses are separated and a joint petition is not filed.)

| 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 |
|---|---|----------------------------|--|
| HSBC | | | |

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.)

| NAME AND ADDRESS OF CREDITOR | DATE OF SETOFF | AMOUNT OF SETOFF |
|------------------------------|----------------|------------------|
|------------------------------|----------------|------------------|

14. Property held for another person

- None ☒ List all property owned by another person that the debtor holds or controls.

| NAME AND ADDRESS OF OWNER | DESCRIPTION AND VALUE OF PROPERTY | LOCATION OF PROPERTY |
|---------------------------|--------------------------------------|----------------------|
|---------------------------|--------------------------------------|----------------------|

15. Prior address of debtor

- None ☒ If the 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 | NAME USED | DATES OF OCCUPANCY |
|---------|-----------|--------------------|
|---------|-----------|--------------------|

16. Spouses and Former Spouses

- None ☐ 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 ☐ 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 ☐ b. 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 LAW |
|-----------------------|---------------------------------------|----------------|-------------------|
|-----------------------|---------------------------------------|----------------|-------------------|

- None ☐ c. 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

- ☐ 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 **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 **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 **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 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 **six years** immediately preceding the commencement of this case.

| NAME | LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN | ADDRESS | NATURE OF BUSINESS | BEGINNING AND ENDING DATES |
|---|--|---------|--|-------------------------------|
| Lawrence Frumusa Land Development LLC | 20-3912717 | | Real Estate Owner and Developer | 1977 to present |
| L Frumusa Family Enterprise P1 LLC | 20-3712670 | | Real Estate Owner | |
| Scenic Village Townhomes | 203712619 | | Real Estate Developer | |
| Webster Hospitality Development LLC | 20-3748925 | | Developer and Owner of Webster Holiday Inn | |
| Maincliff Properties LLC | 20-3748925 | | Owner of multi-family property | |
| Rising Tide Enterprise LLC | 20-3712619 | | Real Asset Acquisition Company | |
| Parkside Village LLC | 20-3712619 | | dormant entity | |
| Frumusa Enterprise LLC | 20-3712763 | | General Construction and Management Co. | |
| Scenic Village Apartment Homes LLC | 20-3748925 | | Management Company for Scenic Village Apartments | |
| 1130 Bay Road LLC | | | | 2002-2005 |
| Royal Crest Development | 03-0532760 | | Real Estate Holding Company | |

None

- ☐ b. 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

ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, records and financial statements

None ☐ 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 ☐ b. List all firms or individuals who within the **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 ☐ 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

None ☐ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS

DATE ISSUED

20. Inventories

None ☐ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY
(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 two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY
RECORDS

21 . Current Partners, Officers, Directors and Shareholders

None ☐ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

None ☐ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE
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 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.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

23 . Withdrawals from a partnership or distributions by a corporation

- None ☐ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS
OF RECIPIENT,
RELATIONSHIP TO DEBTOR

DATE AND PURPOSE
OF WITHDRAWAL

AMOUNT OF MONEY
OR DESCRIPTION AND
VALUE OF PROPERTY

24. Tax Consolidation Group.

- None ☐ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

25. Pension Funds.

- None ☐ If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date June 5, 2009

Signature /s/ Lawrence Frumusa
Lawrence Frumusa
Debtor

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

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

In re **Lawrence Frumusa**

Debtor(s)

Case No. _____

Chapter **11**

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

| | | |
|--|----|-------------------------|
| For legal services, I have agreed to accept..... | \$ | <u>35,000.00</u> |
| Prior to the filing of this statement I have received..... | \$ | <u>25,000.00</u> |
| Balance Due..... | \$ | <u>10,000.00</u> |

2. \$ **10,000.00** of the filing fee has been paid.

3. The source of the compensation paid to me was:

☐ Debtor ☒ Other (specify): **Frumusa Enterprises**

4. The source of compensation to be paid to me is:

☐ Debtor ☒ Other (specify): **Frumusa Enterprises**

5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: **June 5, 2009**

/s/ Jonathan S. Pasternak

**Jonathan S. Pasternak 6107
Rattet, Pasternak & Gordon-Oliver, LLP
550 Mamaroneck Avenue
Suite 510
Harrison, NY 10528
(914) 381-7400 Fax: (914) 381-7406**

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

**NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b)
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Certificate of Attorney

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Jonathan S. Pasternak 6107

Printed Name of Attorney

Address:

550 Mamaroneck Avenue

Suite 510

Harrison, NY 10528

(914) 381-7400

X **/s/ Jonathan S. Pasternak**

Signature of Attorney

June 5, 2009

Date

Certificate of Debtor

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Lawrence Frumusa

Printed Name(s) of Debtor(s)

Case No. (if known) _____

X **/s/ Lawrence Frumusa**

Signature of Debtor

X _____

Signature of Joint Debtor (if any)

June 5, 2009

Date

Date

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

In re **Lawrence Frumusa**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above-named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date: **June 5, 2009**

/s/ Lawrence Frumusa

Lawrence Frumusa

Signature of Debtor

A. DUIE PYLE INC.
P.O. BOX 564
WEST CHESTER, PA 19381-0564

ABJ FIRE PROTECTION
6500 NEW VENTURE GEAR DRIVE
EAST SYRACUSE, NY 13057-1260

ALL STAR LEASING, INC.
P.O. BOX 447
NAPPANEE, IN 46550-0447

AMERICAN EQUIPMENT LLC
6112 COLLETT ROAD WEST
FARMINGTON, NY 14425-9527

American Express
PO Box 1270
Newark, NJ 07101

American General Finance
Baytown Plaza
1900 Empire Blvd.
Webster, NY 14580

AMERICAN GENERAL FINANCE
P.O. BOX 742536
CINCINNATI, OH 45274-2536

AMERICAN GENERAL FINANCIAL SVCS
c/o DEILY, MOONEY & GLASTETTER, LLP
8 THURLOW TERRACE
ALBANY, NY 12203-1006

AMERICAN GENERAL FINANCIAL SVCS
C/O DEILY MOONEY & GLASTETTER, LLP
ATTN: MARTIN MOONEY, ESQ.
8 THURLOW TERRACE
ALBANY, NY 12203

ANDERSON WATER SYSTEMS, INC.
79 SAGINAW DRIVE
ROCHESTER, NY 14623-3131

ANY INSURANCE COMPANIES
P.O. BOX 4692
CHURCH STREET STATION
NEW YORK, NY 10261-4692

Apex Mortgage
185 Commerce Drive
Unit 102
Fort Washington, PA 19034

ARNOLD INDUSTRIAL EQUIP SVC INC
1025 MT. READ BLVD
ROCHESTER, NY 14606-2813

ARROW KITCHENS, INC.
C/O RELIN, GOLDSTEIN & CRANE, LLP
28 EAST MAIN ST., STE 1800
ROCHESTER, NY 14614-1936

BENCHMARK HYDRAULICS TECHNOLOGY
P.O. BOX 20
ONTARIO, NY 14519-0020

BENECARE
500 HELENDAL ROAD
ROCHESTER, NY 14609-3195

Benton V. Kendig III
34 Browns Race
Rochester, NY 14614

Best Buy
PO Box 88000
Baltimore, MD 21288

BEST RENTALS INC
P.O. BOX 26344
ROCHESTER, NY 14626-0344

BRINKS HOME SECURITY
P.O. BOX 70834
CHARLOTTE, NC 28272-0834

BURNWELL GAS DISTRIBUTORS
P.O. BOX 1272
BUFFALO, NY 14240-1272

Canidagua National Bank
1150 Pittsford-Victor Road
Pittsford, NY 14534

Capitol One
PO Box 71083
Charlotte, NC 28272

Chase Bank
P.O. Box 15153
Wilmington, DE 19886

Chase Bank
PO Box 15153
Wilmington, DE 19886

CHASE BANK USA N.A.
P.O. BOX 15145
WILMINGTON, DE 19850-5145

CHOICE ONE DISPOSAL
P.O. BOX 907
WEBSTER, NY 14580-0907

Comfort Systems USA (Syracuse) Inc.
6500 New Venture Gear Dr.
E. Syracuse, NY 13057

CROWN ELECTRIC SUPPLY CO., INC.
P.O. BOX 86 - ROUTE 104
UNION HILL, NY 14563-0086

CROWN ELECTRIC SUPPLY CO., INC.
C/O C. BRUCE LAWRENCE, ESQ.
BOYLAN BROWN CODE VIGDOR & WILSON LLP
2400 CHASE SQUARE
ROCHESTER, NY 14604-1915

CULLIGAN
1475 CLINTON AVE NORTH
ROCHESTER, NY 14621-2285

DANES WELDING SUPPLY
264 ROUTE 104
ONTARIO, NY 14519-8950

DEER PARK
P.O. BOX 856192
LOUISVILLE, KY 40285-6192

E.V.C. ENTERPRISE
410 SOUTH LINCOLN ROAD
EAST ROCHESTER, NY 14445-1520

EDGEWOOD NURSERY INC
3740 STALKER ROAD
MACEDON, NY 14502-9235

ENHANCED COMMUNICATIONS SOLUTIONS INC
P.O. BOX 23081
ROCHESTER, NY 14692-3081

EQUITY TRUST COMPANY
P.O. BOX 1529
ELYRIA, OH 44036-1529

EQUITY TRUST COMPANY CUSTODIAN
P.O. BOX 1529
ELYRIA, OH 44036-1529

ERIC SCHELLENBERG MASONRY INC
33 CHIMNEY SWEEP LANE
ROCHESTER, NY 14612-1407

ERNEST R. KIMBALL
1807 TABOR ROAD
WEBSTER, NY 14580-9746

FASTENAL CO.
P.O. BOX 978
WINONA, MN 55987-0978

FERRELLGAS
P.O. BOX 173940
DENVER, CO 80217-3940

FIA Card Services
PO Box 15726
Wilmington, DE 19886

FRANK'S NURSERY LLC
4682 EDDY RIDGE ROAD
MARION, NY 14505-9329

Frumusa Enterprise LLC
28 Railroad St.
Webster, NY 14580

GE Consumer & Industrial Products
721 Visions Drive
Skaneateles, NY 13152

GENERAL ELECTRIC CO
GE APPLIANCE CONTRACT
P.O. BOX 640025
PITTSBURGH, PA 15264-0025

Genesee Regional Bank
3300 Monrow Avenue
Rochester, NY 14614

GRIFFITH ENERGY
P.O. BOX 5137
BUFFALO, NY 14240-5137

HARTER, SEACREST & EMERY LLP
1600 BAUSCH & LOMB PLACE
ROCHESTER, NY 14604-2711

Home Depot Credit Services
PO Box 9172
Des Moines, IA 50368

HOME DEPOT CREDIT SERVICES
P.O. BOX 6029
THE LAKES, NV 88901-6029

HOMETOWN ENERGY CO.
768 BROOKS AVENUE
ROCHESTER, NY 14619-2234

HSBC Bank USA
PO Box 9
Buffalo, NY 14210

Internal Revenue Service
P.O. Box 21126
Philadelphia, PA 19114

INTERNAL REVENUE SERVICE
INSOLVENCY GROUP I
NIAGARA CENTER, 2ND FL
130 S. ELMWOOD AVENUE
BUFFALO, NY 14202

INTERNAL REVENUE SERVICE
P.O. BOX 37004
HARTFORD, CT 06176-0004

INTUIT SOFTWARE
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LOS ANGELES, CA 90051-3340

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341 County Line Road
Webster, NY 14519

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504 NATHANS WAY
WEBSTER, NY 14580-2883

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9310 ASBURY ROAD
LE ROY, NY 14482-8919

JOSEPH A. BARONE, JR.
C/O RELIN, GOLDSTEIN & CRANE LLP
28 E. MAIN ST., STE 1800
ROCHESTER, NY 14614-1936

Joseph R. Barone, Jr.
c/o Relin, Goldstein & Crane, LLP
28 East Main Street, Suite 1800
Rochester, NY 14614

JP Morgan Chase Bank, N.A.
PO Box 78116
Phoenix, AZ 85062

JP Morgan Chase Bank, N.A.
PO Box 786116
Phoenix, AZ 85062

JP MORGAN CHASE BANK, N.A.
c/o ROSICKI, ROSICKI & ASSOCIATES, PC
51 E BETHPAGE ROAD
PLAINVIEW, NY 11803-4224

JP MORGAN CHASE BANK, N.A.
C/O ROSICKI ROSICKI & ASSOCIATES, PC
51 EAST BETHPAGE ROAD
PLAINVIEW, NY 11803-4224

JP MORGAN CHASE BANK, N.A.
3415 VISION DRIVE OH4-7162
COLUMBUS, OH 43219-6009

JP Morgan Chase Bank, N.A.
3415 Vision Drive
Columbus, OH 43219

JP Morgan Chase Bank, NA
3415 Vision Drive OH4-7162
Columbus, OH 43219

JTM CUSTOM CONSTRUCTION INC.
79 MARBLEHEAD DRIVE
ROCHESTER, NY 14615-1129

Kevin C. Jarrett
1127 Long Pond Road
Rochester, NY 14626

LAWRENCE FRUMUSA
1660 LAKE ROAD
WEBSTER, NY 14580-9745

Lawrence Frumusa Land Development, LLC
28 Rail Road Street
Webster, NY 14580

LEONARD RELIN
ONE MAIN STREET
ROCHESTER, NY 14614

LINCOLN MOVING & STORAGE
847 HOLT ROAD
WEBSTER, NY 14580-9193

M&T Bank
PO Box 767
Buffalo, NY 14240

Maincliff Properties
28 Rail Road Street
Webster, NY 14580

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STE 625
CORAL GABLES, FL 33134-4422

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CAROLYN G. NUSSBAUM, ESQ.
1100 CLINTON SQUARE
ROCHESTER, NY 14604-1792

MEIER SUPPLY
123 BROWN STREET
JOHNSON CITY, NY 13790-2045

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2260 OLMSTEAD ROAD
P.O. BOX 9
WEST BLOOMFIELD, NY 14585-0009

MIG BUILDING SYSTEM
100 ONTARIO STREET
EAST ROCHESTER, NY 14445-1340

MILLER BRICK COMPANY
734 RIDGEWAY AVENUE
ROCHESTER, NY 14615-3299

MJ PIPE & SUPPLY CORP
609 BUFFALO ROAD
ROCHESTER, NY 14611-2005

MONROE CAPITAL, INC.
C/O MENTER, RUDIN & TRIVELPIECE, P.C.
JEFFREY A. DOVE, ESQ.
308 MALTBIE STREET, STE 200
SYRACUSE, NY 13204-1444

MOSTER WYNNE
CHARLES MOSTER, ESQ.
620 CONGRESS AVENUE, 3RD FL, STE 320
AUSTIN, TX 78701-3252

National City Bank
20 Stanwix Street, 18th Floor
Pittsburgh, PA 15222-1323

NATIONAL CITY BANK
C/O WARD NORRIS HELLER & REIDY LLP
ATTN: CHERYL HELLER, OF COUNSEL
300 STATE STREET
ROCHESTER, NY 14614

NATIONAL CITY BANK OF PENNSYLVANIA
20 STANWIX STREET
PITTSBURGH, PA 15222-1323

New York Income Partners II, LLC
3445 Winton Place
Webster, NY 14580

NORTHERN NURSERIES
7532 PITTSFORD-PALMYRA ROAD
FAIRPORT, NY 14450-9532

NS FASTNERS
3019 EAST HENRIETTA ROAD
HENRIETTA, NY 14467-9300

NYS DEPT OF FINANCE
345 ADAMS STREET
3RD FLOOR
BROOKLYN, NY 11201

NYS Dept. Tax & Finance
Bkrptcy/Special Proc. Sectn
P.O. Box 5300
Albany, NY 12205-0300

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100 STATE STREET, ROOM 6090
ROCHESTER, NY 14614-1321

OLDCASTLE APG NORTHEAST
D/B/A DOMINE BUILDERS SUPPLY
P.O. BOX 415350
BOSTON, MA 02241-0001

PHILADELPHIA INSURANCE COMPANY
P.O. BOX 70251
PHILADELPHIA, PA 19176-0251

Raymour & Flanigan Furniture
PO Box 130
Liverpool, NY 13088

REMAX PLUS
2171 MONROE AVENUE
ROCHESTER, NY 14618-2432

Rising Tide Enterprises LLC
28 Railroad Street
Webster, NY 14580

Robert Morgan Limited, III, LLC
5 VanVoorhis Road
Pittsford, NY 14534

ROCHESTER COUNTERTOP, INC.
d/b/a PREMIER CABINET WHOLESALERS
C/O HARRIS BEACH, PLLC
99 GARNSEY ROAD
PITTSFORD, NY 14534

Rochester Equipment & Maintenance
PO Box 202
Union Hill, NY 14563

ROCHESTER EQUIPMENT & MAINTENANCE
P.O. BOX 202
UNION HILL, NY 14563-0202

ROCHESTER FLOORING RESOURCE
360 JEFFERSON ROAD
ROCHESTER, NY 14623-2644

Rosicki, Rosicki & Associates PC
51 East Bethpage Road
Plainview, NY 11803

Royal Crest Development LLC
28 Rail Road Street
Webster, NY 14580

RUB-R-WALL OF WNY INC
P.O. BOX 244
NORTH GREECE, NY 14515-0244

SBM INTERIORS CO., INC.
380 CEDAR CREEK TRL
ROCHESTER, NY 14626-6233

Scenic Village Townhomes LLC
28 Rail Road Street
Webster, NY 14580

Security Exchange Comm
The Woolworth Building
233 Broadway- John Murray
New York, NY 10279

Sherwin Williams Co.
916 Sheraton Drive
Mars, PA 16046

SIMPLY STORAGE
847 HOLT ROAD
WEBSTER, NY 14580-9193

SKY BUSINESS SYSTEMS, INC.
6305 COURT STREET ROAD
EAST SYRACUSE, NY 13057-1210

SKY BUSINESS SYSTEMS, INC.
C/O MACKENZIE HUGHES LLP
NEIL J. SMITH, ESQ.
101 SOUTH SALINA ST, STE 600
SYRACUSE, NY 13202

ST LAWRENCE COUNTRY TREASURER
48 COURT STREET
CANTON, NY 13617-1272

Staples Credit Plan
PO Box 689020
Des Moines, IA 50368

STATE FARM INSURANCE - QUARTERLY
4124 W. HENRIETTA ROAD
ROCHESTER, NY 14623-5298

SUPERIOR PAYMENT PLAN, LLC
P.O. BOX 65
BOWMANVILLE, NY 14026-0065

TIME WARNER CABLE
P.O. BOX 994
BUFFALO, NY 14270-0994

TOWER INSURANCE COMPANY
P.O. BOX 29919
NEW YORK, NY 10087-9919

TOWN OF ROSSIE
LYNN DECONDO, TAX COLLECTOR
908 COUNTY ROUTE 3
REDWOOD, NY 13679-3133

TRADE CREDIT SERVICES
P.O. BOX 105525
ATLANTA, GA 30348-5525

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281 EAST MAIN STREET
GOUVERNEUR, NY 13642-1575

UNITED STATES ATTORNEY
ONE ST. ANDREW'S PLAZA
CLAIMS UNIT ROOM 417
NEW YORK, NY 10007

UNITED STATES TRUSTEE
74 Chapel Street
New York, NY 10004

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c/o David Rasmussen
Davidson Fink LLP
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Rochester, NY 14614

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VALOREE FRUMUSA
C/O DAVIDSON FINK LLP
28 EAST MAIN STREET, STE 1700
ROCHESTER, NY 14614

VERMONT MUTUAL INSURANCE COMPANY
P.O. BOX 113
BRATTLEBORO, VT 05302-0113

VIA HEALTH MEDICAL GROUPS
P.O. BOX 10757
ROCHESTER, NY 14610-0757

WASTE MANAGEMENT OF NY - ROCHESTER
P.O. BOX 13648
PHILADELPHIA, PA 19101-3648

Webster Hospitality Development LLC
860 Holt Road
Webster, NY 14580

WEEKEND PRINTER
822 HOLT ROAD
WEBSTER, NY 14580-9103

WELLS FARGO FINANCIAL CAPITAL FINANCE
P.O. BOX 7777
SAN FRANCISCO, CA 94120-7777

Wesley Belmore
267 Berg Road
Ontario, NY 14519

WILLIAM PENN LIFE INSURANCE
P.O. BOX 740527
ATLANTA, GA 30374-0527

WM B. MORSE LUMBER CO.
340 WEST MAIN STREET
ROCHESTER, NY 14608-1993

WRAP-N-DRAIN WATERPROOFING
199 BELMORE WAY
ROCHESTER, NY 14612-2371

YORK SAFETY SOLUTIONS
7727 EAST TOWNLINE ROAD
WILLIAMSON, NY 14589-9783