| B1 (Official Form 1)(12/11) | | | | | | | | |
|--|---|--|--|--|---|-------------------------------------|---|-----------------------|
| | States Bankri tern District of I | | | | | | Voluntary | Petition |
| Name of Debtor (if individual, enter Last, First, Ulrich's Tavern, Inc. | Middle): | | Name | of Joint De | ebtor (Spouse |) (Last, First, | Middle): | |
| All Other Names used by the Debtor in the last (include married, maiden, and trade names): | 8 years | | | | | foint Debtor in trade names): | n the last 8 years | |
| Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) 16-1578513 | ayer I.D. (ITIN) No./Co | omplete EIN | | our digits of than one, state | | · Individual-Ta | axpayer I.D. (ITIN) N | lo./Complete EIN |
| Street Address of Debtor (No. and Street, City, 674 Ellicott Street Buffalo, NY | and State): | ZID C. I | Street | Address of | Joint Debtor | (No. and Stre | eet, City, and State): | ZID C. I |
| | 1 | ZIP Code 4203 | ł | | | | | ZIP Code |
| County of Residence or of the Principal Place o Erie | 4203 | County | of Reside | ence or of the | Principal Plac | ce of Business: | | |
| Mailing Address of Debtor (if different from str | eet address): | | Mailin | g Address | of Joint Debt | or (if differen | t from street address) | : |
| | | ZIP Code | | | | | | ZIP Code |
| Location of Principal Assets of Business Debtor (if different from street address above): | 674 Ellicott Buffalo, NY | | | | | | | |
| Type of Debtor | Nature of | | | | Chapter | of Bankrupt | cy Code Under Wh | ich |
| (Form of Organization) (Check one box) | (Check o | | | | the I | Petition is File | ed (Check one box) | |
| ☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.) | ☐ Health Care Busi ☐ Single Asset Rea in 11 U.S.C. § 10 ☐ Railroad ☐ Stockbroker ☐ Commodity Brok ☐ Clearing Bank | ll Estate as def)1 (51B) | fined | ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt | er 9 er 11 er 12 | of a □ Cha | apter 15 Petition for I a Foreign Main Proce apter 15 Petition for I a Foreign Nonmain P | eding Recognition |
| Chapter 15 Debtors | Other | | | | | Nature | of Debts | |
| Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending: Tax-Exempt Entity (Check box, if applicable) Debtor is a tax-exempt organiza under Title 26 of the United Stat Code (the Internal Revenue Cod | | | "incurred by an individual primarily for | | | | | |
| Filing Fee (Check one box Full Filing Fee attached Filing Fee to be paid in installments (applicable to attach signed application for the court's considerat debtor is unable to pay fee except in installments. Form 3A. Filing Fee waiver requested (applicable to chapter attach signed application for the court's considerat | individuals only). Must ion certifying that the Rule 1006(b). See Officia 7 individuals only). Must | Debte Check if: Debte are le Check all ap A pla Acce | or is a smoor is not a cor's aggress than \$ pplicable an is bein ptances of | egate nonco 2,343,300 (aboves: g filed with of the plan w | debtor as definition desired debtor as debtor as debtor as dentingent liquida amount subject this petition. | ated debts (excl to adjustment o | | ee years thereafter). |
| Statistical/Administrative Information ■ Debtor estimates that funds will be available □ Debtor estimates that, after any exempt properthere will be no funds available for distribut | erty is excluded and a | dministrative of | | s paid, | | THIS | SPACE IS FOR COURT | USE ONLY |
| Estimated Number of Creditors | 1,000- 5,001- | | ,001-,000 | 50,001- 100,000 | OVER 100,000 | | | |
| \$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1 million | \$1,000,001 \$10,000,001 to \$10 to \$50 | | 5500 | \$500,000,001 to \$1 billion | More than \$1 billion | | | |
| | \$1,000,001 \$10,000,001 to \$10 to \$50 million | to \$100 to \$ | 5500 lipa a | \$500,000,001 to \$1 billion | | N/4 2 4 0 · 2 | 20:00 Doco | Main |
| 0a30 1-12-12000-0LD | Doc | ument | | ge 1 of | | <i>5/</i> 12 10.0 | 2000 | MAIN |

| B1 (Official For | rm 1)(12/11) | | | Page 2 |
|---------------------------------------|---|--|--|--|
| Voluntar | y Petition | | Name of Debtor(s): | |
| | · | nd filed in every case) | Ulrich's Tavern, Inc | • |
| (This page mi | | rior Bankruptcy Cases Filed Within Las | t & Vears (If more than two | attach additional sheet) |
| Location | Air | Tioi Banki uptcy Cases Filed Within Las | Case Number: | Date Filed: |
| Where Filed: | - None - | | | 2401100 |
| Location Where Filed: | | | Case Number: | Date Filed: |
| Pe | ending Bankrupto | cy Case Filed by any Spouse, Partner, or | Affiliate of this Debtor (I | f more than one, attach additional sheet) |
| Name of Debt - None - | tor: | | Case Number: | Date Filed: |
| District: | | | Relationship: | Judge: |
| forms 10K a pursuant to sand is reque | and 10Q) with the Section 13 or 15(d sting relief under of A is attached and or own or have possessing the sting relief under or own or have possessing the sting relief under or own or have possessing the sting relief under or own or have possessing relief. | made a part of this petition. Extension of any property that poses or is alleged to | I, the attorney for the petitic have informed the petition 12, or 13 of title 11, United under each such chapter. I required by 11 U.S.C. §34. X Signature of Attorney for the petition of th | or Debtor(s) (Date) |
| ☐ Yes, and ☐ No. | Exhibit C is attache | d and made a part of this petition. | | |
| ☐ Exhibit If this is a join | D completed and int petition: | ividual debtor. If a joint petition is filed, ea signed by the debtor is attached and made and signed by the joint debtor is attached a | a part of this petition. | |
| | | Information Regardin | ng the Debtor - Venue | |
| | | (Check any ap | = | |
| - | | n domiciled or has had a residence, principely preceding the date of this petition or for | | |
| | There is a bank | ruptcy case concerning debtor's affiliate, go | eneral partner, or partnershi | p pending in this District. |
| | this District, or | tor in a foreign proceeding and has its princhas no principal place of business or assets a federal or state court] in this District, or the District. | s in the United States but is | a defendant in an action or |
| | | Certification by a Debtor Who Reside (Check all app | | ial Property |
| | Landlord has a | judgment against the debtor for possession | of debtor's residence. (If bo | ox checked, complete the following.) |
| | | (Name of landlord that obtained judgment) | | |
| | | (Address of landlord) | | |
| | | hat under applicable nonbankruptcy law, th | | er which the debtor would be permitted to cure |
| | Debtor has incl | etary default that gave rise to the judgment uded in this petition the deposit with the co | - | - |
| | after the filing of Debtor certifies | of the petition. that he/she has served the Landlord with t 36-CLB Doc 1 Filed 08/23 | his certification. (11 U.S.C. | § 362(l)). |

B1 (Official Form 1)(12/11) Page 3 Name of Debtor(s):

Voluntary Petition

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

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.

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Robert B. Gleichenhaus, Esq.

Signature of Attorney for Debtor(s)

Robert B. Gleichenhaus, Esq.

Printed Name of Attorney for Debtor(s)

Gleichenhaus, Marchese & Weishaar, P.C.

Firm Name

930 Convention Tower **43 Court Street** Buffalo, NY 14202

Address

(716) 845-6446 Fax: (716) 845-6475

Telephone Number

August 22, 2012

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 /s/ James F. Daley

Signature of Authorized Individual

James F. Daley

Printed Name of Authorized Individual

President

Title of Authorized Individual

August 22, 2012

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.)

Ulrich's Tavern, Inc.

- ☐ 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.

| - | 7 |
|-----|---|
| 7 | v |
| - / | • |
| _ | |

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 bankrutpcy 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.)

| v | | | |
|---|---|-----|---|
| | | . 1 | • |
| | ٦ | ĸ | |

Date

Address

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.

United States Bankruptcy Court Western District of New York

| In re | Ulrich's Tavern, Inc. | | Case No. | | |
|-------|-----------------------|-----------|----------|----|--|
| | | Debtor(s) | 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) | (2) | (3) | (4) | (5) |
|-----------------------------------|--|------------------------|----------------------|-------------------|
| Name of creditor and complete | Name, telephone number and complete | Nature of claim (trade | Indicate if claim is | Amount of claim |
| mailing address including zip | mailing address, including zip code, of | debt, bank loan, | contingent, | [if secured, also |
| code | employee, agent, or department of creditor | government contract, | unliquidated, | state value of |
| | familiar with claim who may be contacted | etc.) | disputed, or | security] |
| | Jamina min elam me may de comacica | | subject to setoff | |
| Ascap | Ascap | Business debt | | 8,236.00 |
| P.O. Box 331608-715 | P.O. Box 331608-715 | | | |
| Nashville, TN 37203-9998 | Nashville, TN 37203-9998 | | | |
| Best, Inc. | Best, Inc. | Business debt | | 338.00 |
| 3003 Genesee Street | 3003 Genesee Street | | | |
| Buffalo, NY 14225 | Buffalo, NY 14225 | | | |
| Buffalo News | Buffalo News | Business | | 2,000.00 |
| One News Plaza | One News Plaza | (advertising) debt | | |
| Buffalo, NY 14240 | Buffalo, NY 14240 | , | | |
| Eroquois Keg Birch Beer | Eroquois Keg Birch Beer Inc | Business debt | | 500.00 |
| Inc | 297 Main Street | | | |
| 297 Main Street | Tonawanda, NY 14150 | | | |
| Tonawanda, NY 14150 | · | | | |
| Evans National Bank | Evans National Bank | Co-debtor | Contingent | 152,450.00 |
| One Grimsby Drive | One Grimsby Drive | obligation on | | |
| Hamburg, NY 14075 | Hamburg, NY 14075 | Mortgage | | |
| First Niagara Bank | First Niagara Bank | Business debt | | 1,480.00 |
| 6950 S. Transit Road | 6950 S. Transit Road | | | ' |
| Lockport, NY 14094 | Lockport, NY 14094 | | | |
| Guercio and Sons Importers | Guercio and Sons Importers | Business debt | | 2,000.00 |
| 250 Grant Street | 250 Grant Street | | | |
| Buffalo, NY 14213 | Buffalo, NY 14213 | | | |
| Internal Revenue Service | Internal Revenue Service | "Super Priority" | | 65,000.00 |
| Insolvency Group 1 | Insolvency Group 1 | lien on | | |
| Niagara Center, 2nd Floor | Niagara Center, 2nd Floor | unencumbered | | (0.00 secured) |
| 130 South Elmwood | Buffalo, NY 14202 | assets | | ` |
| Buffalo, NY 14202 | | | | |
| JH Dodman | JH Dodman | Business debt | | 4,500.00 |
| 116 Michigan Ave | 116 Michigan Ave | | | |
| Buffalo, NY 14204 | Buffalo, NY 14204 | | | |
| NYS Dept. of Taxation & | NYS Dept. of Taxation & Finance | Wholly unsecured | | 205,000.00 |
| Finance | Bankruptcy Unit | | | |
| Bankruptcy Unit | PO Box 5300 | | | (0.00 secured) |
| PO Box 5300 | Albany, NY 12205-0300 | | | , |
| Albany, NY 12205-0300 | _ | | | |

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Best Case Bankruptcy

| B4 (Offi | cial Form 4) (12/07) - Cont. | | |
|----------|------------------------------|--------------|--|
| In re | Ulrich's Tavern, Inc. | Case No. | |
| | Debtor(s) | _ | |

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

| (1) | (2) | (3) | (4) | (5) |
|--|---|---|---|---|
| Name of creditor and complete mailing address including zip code | Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted | Nature of claim (trade debt, bank loan, government contract, etc.) | Indicate if claim is contingent, unliquidated, disputed, or subject to setoff | Amount of claim [if secured, also state value of security] |
| Sesac Music Licence 55 Music Square East Nashville, TN 37203 | Sesac Music Licence 55 Music Square East Nashville, TN 37203 | Business debt | | 862.00 |
| | | | | |
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| | DECL ADAMION INDED DEN | 1 | | 1 |

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

I, the President of the corporation named as 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 _ | August 22, 2012 | Signature | /s/ James F. Daley |
|--------|-----------------|-----------|--------------------|
| | | | James F. Daley |
| | | | President |

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.

| • | | |
|-------|-----------------------|---------|
| In re | Ulrich's Tavern, Inc. | 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.

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 "Unsecured Portion" on the Statistical 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.

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

| | _ | | <u> </u> | | | | | |
|---|----------|----------------|--|---------------|-------------|----------|--|---------------------------------|
| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | Hu: H W J C | sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | IGI | UNLIQUIDAT | DISPUTED | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
| Account No. | | | 2009+ | Т | T E D | | | |
| Internal Revenue Service Insolvency Group 1 Niagara Center, 2nd Floor 130 South Elmwood Buffalo, NY 14202 | | - | Federal Tax Lien "Super Priority" lien on unencumbered assets Value \$ 0.00 | | D | | 65,000.00 | 65,000.00 |
| Account No. | | П | 2011+ | | T | T | | |
| NYS Dept. of Taxation & Finance Bankruptcy Unit PO Box 5300 Albany, NY 12205-0300 | | - | Tax Warrant Wholly unsecured | | | | | |
| | ┡ | Ш | Value \$ 0.00 | Н | 4 | \dashv | 205,000.00 | 205,000.00 |
| Account No. | | | Value \$ | | | | | |
| Account No. | | П | | П | | | | |
| | | | Value \$ | | | | | |
| continuation sheets attached | | | S (Total of th | ubto nis p | | | 270,000.00 | 270,000.00 |
| | | | (Report on Summary of Sci | | otal | | 270,000.00 | 270,000.00 |

| In re | Ulrich's Tavern, Inc. | Case No | |
|-------|-----------------------|---------|--|
| - | <u> </u> | 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 <u>not</u> 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 \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4). |
| Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5). |
| ☐ Certain farmers and fishermen |
| Claims of certain farmers and fishermen, up to \$5,775* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6). |
| ☐ Deposits by individuals |
| Claims of individuals up to \$2,600* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, 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). |
| |

| In re | Ulrich's Tavern, Inc. | 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, | C | Hu | sband, Wife, Joint, or Community | Č | Ų | Ŀ | эΤ | |
|---|----------|---------|---|---------------|-------------|-----|--------------|-----------------|
| MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | H & J C | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | CONTLNGENT | DZLLQULDAH | I U | J T | AMOUNT OF CLAIM |
| Account No. 3985 | | | Business debt | Ť | T E D | | | |
| Ascap P.O. Box 331608-715 Nashville, TN 37203-9998 | | - | | | D | | | 8,236.00 |
| Account No. | Г | П | Business debt | T | Г | T | † | |
| Best, Inc. 3003 Genesee Street Buffalo, NY 14225 | | - | | | | | | 338.00 |
| Account No. | | | Business (advertising) debt | T | | T | † | |
| Buffalo News One News Plaza Buffalo, NY 14240 | | - | | | | | | 2,000.00 |
| Account No. | | H | Business debt | \vdash | H | H | \dagger | • |
| Eroquois Keg Birch Beer Inc 297 Main Street Tonawanda, NY 14150 | | - | | | | | | 500.00 |
| | L | | | \perp | | L | \downarrow | 500.00 |
| _1 continuation sheets attached | | | (Total of t | Subt his j | | |) | 11,074.00 |

| In re | Ulrich's Tavern, Inc. | | Case No |
|-------|-----------------------|--------|---------|
| - | | Debtor | |

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME, | Ç | Hu | sband, Wife, Joint, or Community | CO | Ü | D | |
|--|-------------|--------|---|------------------|-------------|------|-----------------|
| MAILING ADDRESS INCLUDING ZIP CODE, | CODEBT | H W | DATE CLAIM WAS INCURRED AND | N T | UNLLC | IΡ | |
| AND ACCOUNT NUMBER (See instructions above.) | T O R | C | CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | N G E N | l D | UTED | AMOUNT OF CLAIM |
| Account No. 9693 | T | H | 2008 | T | A T E | | |
| | ł | | Co-debtor obligation on Mortgage | | D | | |
| Evans National Bank | | | | | | |] |
| One Grimsby Drive | Ιx | - | | X | | | |
| Hamburg, NY 14075 | | | | | | | |
| | | | | | | | |
| | | | | | | | 152,450.00 |
| Account No. | ļ | | Business debt | | | | |
| First Niagara Bank | | | | | | | |
| 6950 S. Transit Road | | - | | | | | |
| Lockport, NY 14094 | | | | | | | |
| | | | | | | | |
| | | | | | | | 1,480.00 |
| Account No. | Ͱ | - | Business debt | + | | | |
| Account No. | ł | | Business debt | | | | |
| Guercio and Sons Importers | | | | | | | |
| 250 Grant Street | | _ | | | | | |
| Buffalo, NY 14213 | | | | | | | |
| | | | | | | | |
| | | | | | | | 2,000.00 |
| Account No. | ╁ | | Business debt | | | | _,,,,,,,,, |
| | 1 | | | | | | |
| JH Dodman | | | | | | | |
| 116 Michigan Ave | | - | | | | | |
| Buffalo, NY 14204 | | | | | | | |
| | | | | | | | |
| | | | | | | | 4,500.00 |
| Account No. 2169 | | | Business debt | | | | |
| | 1 | | | | | | |
| Sesac Music Licence | | | | | | | |
| 55 Music Square East | | - | | | | | |
| Nashville, TN 37203 | | | | | | | |
| | 1 | | | | | | |
| | | | | | | | 862.00 |
| Sheet no1 of _1 sheets attached to Schedule of | | • | | Subt | tota | 1 | _ |
| Creditors Holding Unsecured Nonpriority Claims | | | (Total of t | | | | 161,292.00 |
| | | | , | | ota | | |
| | | | (Deport on Commons of Co | | | | 172,366.00 |
| | | | (Report on Summary of So | nec | ıuıc | 8) | 1 |

| In re | Ulrich's Tavern, Inc. | | 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.

674 Ellicott Street, Inc. 674 Ellicott Street Buffalo, NY 14203

Debtor leases property at 674 Ellicott Street from 674 Ellicott Street, Inc.

| • | | | |
|-------|-----------------------|----------|--|
| In re | Ulrich's Tavern, Inc. | 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

674 Ellicott Street, Inc.
674 Ellicott Street
One Grimsby Drive
Buffalo, NY 14203

NAME AND ADDRESS OF CREDITOR

Evans National Bank
One Grimsby Drive
Hamburg, NY 14075

United States Bankruptcy Court Western District of New York

Case No.

In re

Ulrich's Tavern, Inc.

| Chapter | |
|--|---|
| · — | 11 |
| | |
| | |
| | |
| ITY HOLDERS | |
| accordance with Rule 1007(a)(3) | for filing in this chapter 1 |
| | |
| Number | Kind of |
| of Securities | Interest |
| | 51% |
| | |
| | |
| | 49% |
| | |
| | |
| | |
| IALF OF CORPORATIO case, declare under penalty of pect to the best of my information of the control of the con | perjury that I have read |
| ease, declare under penalty of prect to the best of my information | perjury that I have read |
| rase, declare under penalty of prect to the best of my information of the last | perjury that I have read |
| | accordance with Rule 1007(a)(3) Number of Securities |

United States Bankruptcy Court Western District of New York

| In re | Ulrich's Tavern, Inc. | | Case No. | |
|-----------|--|--|---------------|----------------------------------|
| | | Debtor(s) | Chapter | 11 |
| | VERIFICAT | TON OF CREDITOR MA | TRIX | |
| | V DIGIT TOTAL | TOTAL CREDITOR WITH | 114121 | |
| I, the Pr | resident of the corporation named as the debto | or in this case, hereby verify that the atta | iched list of | creditors is true and correct to |
| the best | of my knowledge. | | | |
| | | | | |
| | | | | |
| | | | | |
| Date: | August 22, 2012 | /s/ James F. Daley | | |
| | | James F. Daley/President | | |
| | | Signer/Title | | |

674 Ellicott Street, Inc. 674 Ellicott Street Buffalo, NY 14203

Ascap P.O. Box 331608-715 Nashville, TN 37203-9998

Best, Inc. 3003 Genesee Street Buffalo, NY 14225

Buffalo News One News Plaza Buffalo, NY 14240

Eroquois Keg Birch Beer Inc 297 Main Street Tonawanda, NY 14150

Evans National Bank One Grimsby Drive Hamburg, NY 14075

First Niagara Bank 6950 S. Transit Road Lockport, NY 14094

Guercio and Sons Importers 250 Grant Street Buffalo, NY 14213

Internal Revenue Service Insolvency Group 1 Niagara Center, 2nd Floor 130 South Elmwood Buffalo, NY 14202

JH Dodman 116 Michigan Ave Buffalo, NY 14204 NYS Dept. of Taxation & Finance Bankruptcy Unit PO Box 5300 Albany, NY 12205-0300

Sesac Music Licence 55 Music Square East Nashville, TN 37203

United States Bankruptcy Court Western District of New York

| In re Ulrich's Tavern, Inc. | | Case No. |
|---|---|---|
| | Debtor(s) | Chapter 11 |
| | | |
| CORE | PORATE OWNERSHIP STATEMENT | (RULE 7007.1) |
| or recusal, the undersigned counsel is a (are) corporation(s), other than | for Ulrich's Tavern, Inc. in the above c | Judges to evaluate possible disqualification raptioned action, certifies that the following rectly or indirectly own(s) 10% or more of ntities to report under FRBP 7007.1: |
| ■ None [Check if applicable] | | |
| August 22, 2012 | /s/ Robert B. Gleichenhaus, Es | sq. |
| Date | Robert B. Gleichenhaus, Esq. | |
| | Signature of Attorney or Litig | |
| | Counsel for Ulrich's Tavern, | |
| | Gleichenhaus, Marchese & We 930 Convention Tower | eisnaar, P.C. |
| | 43 Court Street | |
| | Buffalo, NY 14202 | |
| | (716) 845-6446 Fax:(716) 845-6 | 5475 |

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF NEW YORK

| Proceedings Under Chapter 11 |
|--|
| Tax I.D. No. 16-1578513 |
| Case No.: |
| Assigned Judge |
| Assigned Judge: |
| GARDING ITS DUTY TO PROVIDE TS AS REQUIRED UNDER 11 U.S.C. §1 |
| |

The Debtor-In-Possession, Ulrich's Tavern, Inc. (the "Debtor") hereby affirms:

- 1. The Debtor filed their voluntary petition for relief under Chapter 11 on August 23, 2012 (the "Filing").
 - 2. Debtor is a New York corporation which operates a bar/restaurant.
- 3. The Debtor is a small business as defined by §101(51C) of the United States Bankruptcy Code.
- 4. This Affidavit is submitted regarding Debtor's duty to append to its Petition copies of certain financial statements, including its most recent balance sheet, statement of operations and cashflow statement as required under 11 U.S.C. §1116(1).
- 5. With respect to a balance sheet, appended hereto please find the most recent balance sheet for calendar year ending December 31, 2009.
- 6. With respect to cash-flow statement(s), upon information and belief, if any such statement has been prepared, given its age, such a statement would not be relevant to the instant proceedings.
- 7. With respect to the statement of operation, appended hereto please find a copy of the Profit and Loss Statement spanning January 1, 2012 through May 20, 2012.
- 8. With respect to the Debtor's obligation to append to the Voluntary Petition a copy of the tax returns, appended hereto please find a copy of the Corporate tax returns for period ending December 31, 2011 (the last filed tax return).

DATED: August 22, 2012

James F. Daley, President

16(1)

Subscribed and sworn to

before me this $2\sqrt{\text{day of}}$, 2012.

MICHAEL A. WEISHAAR Notary Public, State of New York Qualified in Erie County My Commission Expires April 4, 20 2

Case 1-12-12636-CLB Doc 1 Filed 08/23/12 Entered 08/23/12 10:39:00 Desc Main

Document Page 17 of 24

Form **1120S**

Department of the Treasury Internal Revenue Service

U.S. Income Tax Return for an S Corporation

Do not file this form unless the corporation has filed or is attaching Form 2553 to elect to be an S corporation.
 See separate instructions.

OMB No. 1545-0130

2011

| | | ar year 2011 or ta | x year beg | | , | enaing | | | | | |
|--|-----------|--------------------------|------------------|---|----------------------------|---------------|------------------|------------------|----------------|-------------------------------------|--|
| A Se | election | effective date | | Name | | | | 1 | D Employer | r identification number | |
| | 1, | /1/2000 | | Ulrich's Tavern Inc | | | | | | 16-1578513 | |
| | | activity code | TYPE | Number, street, and room or suit | te no. If a P.O. box, se | e instructio | ns. | | E Date incor | porated | |
| ■ DDINT ⊢ | | | | 674 Ellicott Street | 874 Ellicott Street | | | | | | |
| 7224 | 10 | | PRINT | City or town | | State | ZIP code | AI . | F Total asse | 7/29/1999 ets (see instructions) | |
| 1221 | 10 | | | Only of town | | Otato | 211 0000 | | Total asse | no (see mondenons) | |
| C Ch | eck if So | ch. M-3 attached | | Buffalo | | NY | 14203 | | | 319 | |
| | | | | | | | . — | | | | |
| G Is | the co | orporation electing | to be an | S corporation beginning with the | nis tax year? | | Yes N | lo If "Yes," | attach Form | n 2553 if not already f | filed |
| H Ch | neck i | f: (1) Final | l return | (2) Name change (3) | Address change | (4) | Amended ref | urn (5) | S election | n termination or revocation | on |
| I Er | otor th | | | who were shareholders during a | | ` ' | | | | | |
| | | | | | | | | | | | 2 |
| Cauti | on. In | iclude only trade | or busine | ss income and expenses on lir | nes 1a through 21. S | See the in | structions fo | or more info | rmation. | | |
| | 1a | Merchant card a | and third-p | party payments. For 2011, ente | r -0 | 1a | | 0 | | | |
| | b | Gross receipts | or sales no | ot reported on line 1a (see instr | ructions) | 1b | 56 | 1,965 | | | |
| | С | Total. Add lines | 1a and 1b | b | | 1c | 56 | 1,965 | | | |
| Ø | d | | | olus any other adjustments (see | | 1d | | 0,948 | | | |
| Income | e | | | 1c | | | | | 1e | 551,017 | |
| 20 | | | | | | | | 1 | 2 | 222,398 | |
| ŭ | 2 | | | h Form 1125-A) | | | | | | , | + |
| | 3 | | | 2 from line 1e | | | | | 3 | 328,619 | <u> </u> |
| | 4 | | | 1 4797, Part II, line 17 <i>(attach F</i> | | | | | 4 | | <u> </u> |
| | 5 | Other income (I | oss) (see i | instructions—attach statement |) | | | | 5 | | <u> </u> |
| | 6 | Total income (| loss). Add | l lines 3 through 5 | | 🚺 | | • | 6 | 328,619 | <u> </u> |
| S) | 7 | | | | | | | | 7 | 27,872 | |
| tior | 8 | | | employment credits) | | | | | 8 | 131.890 | |
| ıita | 9 | | | | | | | | 9 | 6,232 | + |
| liπ | 10 | | | | | | | | 10 | 0,202 | |
| for | | | | | | | | | | 26,000 | |
| us. | 11 | | | | | | | | 11 | 36,000 | - |
| tio | 12 | | | | | | | | 12 | 19,505 | <u> </u> |
| ruc | 13 | | | | | | | | 13 | | ļ |
| nst | 14 | Depreciation no | t claimed | on Form 1125-A or elsewhere | on return (attach F | orm 4562 |) | | 14 | 450 | <u> </u> |
| Deductions (see instructions for limitations) | 15 | Depletion (Do n | ot deduct | t oil and gas depletion.) | | | | | 15 | | |
| es) | 16 | | | | | | | | 16 | 3,350 | |
| S | 17 | Pension profit- | sharing et | tc., plans | | | | | 17 | , | |
| or | 18 | | | ms | | | | | 18 | | <u> </u> |
| cti | | | | statement) | | | | | 19 | 121,739 | |
| ļr | 19 | | | | | | | | — | | |
| ec | 20 | | | nes 7 through 19 | | | | | 20 | 347,038 | |
| | 21 | | | me (loss). Subtract line 20 fror | | | <u></u> | · · · · | 21 | -18,419 | <u> </u> |
| | 22a | • | | ne or LIFO recapture tax (see in | , | 22a | | | | | |
| S | b | Tax from Sched | lule D (For | rm 1120S) | | 22b | | | | | |
| ınts | С | Add lines 22a a | nd 22b (se | ee instructions for additional tax | xes) | | | | 22c | 0 | |
| ne | 23a | | | ents and 2010 overpayment cr | | 23a | | | | | |
| Ŋ | b | | | | | 23b | | | | | |
| Ра | | • | | on fuels (attach Form 4136) | | 23c | | | - | | |
| Tax and Payme | C C | | | | | | | | 224 | 0 | |
| an | d | | | | | | | <u>.</u> — | 23d | U | _ |
| × | 24 | | 1 1 | e instructions). Check if Form | | | | | 24 | | <u> </u> |
| Ta | 25 | | | d is smaller than the total of line | • | | | | 25 | 0 | |
| - | 26 | Overpayment. | If line 23d | is larger than the total of lines | 22c and 24, enter a | amount o | verpaid | | 26 | 0 | <u> </u> |
| | 27 | Enter amount fr | om line 26 | Credited to 2012 estimated | tax 🕨 | | Ref | funded 🕨 | 27 | 0 | |
| | | Under penalties of pe | erjury, I declar | re that I have examined this return, includ | ling accompanying schedu | les and state | ements, and to t | he best of my ki | nowledge and b | pelief, it is true, correct, | |
| | | and complete. Declar | ration of prepa | arer (other than taxpayer) is based on all | information of which prepa | arer has any | knowledge. | | May the IR | S discuss this return | |
| Qi~ | n | | | | | | | | with the pre | eparer shown below | _ |
| Sig | | | | | 4/10/2011 | Preside | nt | | (see instruc | ctions)? Yes X | No |
| Her | е | Signature of off | ficer | | Date | Title | | | | | • |
| | | Print/Type prep | arer's name | e Preparer's signature | е | | Date | 1 | Check X in | PTIN | |
| Paid | ŀ | la NI | | James Matie 11 | | | 414 | | | [†] P00191854 | |
| | | James Neim | | James Neimeie | :1 | | 4/1 | | _ | · PUU 19 1804 | |
| Pre | | | | | | | | | | | |
| Use | On | ly Firm's address | <u> </u> | 8 Soldiers Place | | | | Phone no. | (716) 88 | 34-1641 | |
| | | City | Buffa | ilo | | State | NY | ZIP code | 14222 | | |
| Ear D | 0005 | work Boduction | Act Notice | soo congrato instructions | | | | | | Form 1120S / | 20111 |

| Form 1120S (2011) Ulrich's Tavern Inc 16-1578513 Page | | | | | | age 2 | |
|---|---|--|----|------------|-------|--------------|--|
| Sch | nedul | Other Information (see instructions) | | | Yes | No | |
| 1 | Check | accounting method: a X Cash b Accrual c Other (specify) | | | | | |
| 2 | See th | e instructions and enter the: | | | | | |
| | a Business activity ► Tavern b Product or service ► Food & beverage | | | | | | |
| 3 | | | | | | | |
| | corporation? (For rules of attribution, see section 267(c).) If "Yes," attach a statement showing: (a) name and employer | | | | | | |
| | identification number (EIN), (b) percentage owned, and (c) if 100% owned, was a qualified subchapter S subsidiary | | | | | | |
| | election made? | | | | | | |
| 4 | Has this corporation filed, or is it required to file, Form 8918 , Material Advisor Disclosure Statement, to provide information on any reportable transaction? | | | | | | |
| 5 | Check | this box if the corporation issued publicly offered debt instruments with original issue discount | | . ▶ 🔲 | | | |
| | If checked, the corporation may have to file Form 8281 , Information Return for Publicly Offered Original Issue Discount | | | | | | |
| | Instru | ments. | | | | | |
| 6 | If the corporation: (a) was a C corporation before it elected to be an S corporation or the corporation acquired an | | | | | | |
| | | with a basis determined by reference to the basis of the asset (or the basis of any other property) in | | | | | |
| | the hands of a C corporation and (b) has net unrealized built-in gain in excess of the net recognized built-in gain | | | | | | |
| | from prior years, enter the net unrealized built-in gain reduced by net recognized built-in gain from prior years(see | | | | | | |
| 7 | instructions) | | | | | | |
| 7 8 | Enter the accumulated earnings and profits of the corporation at the end of the tax year. Are the corporation's total receipts (see instructions) for the tax year and its total assets at the end of the tax year | | | | | | |
| Ü | | nan \$250,000? If "Yes," the corporation is not required to complete Schedules L and M-1 | , | | | Х | |
| 9 | | the tax year, was a qualified subchapter S subsidiary election terminated or revoked? If "Yes," see in | | | | X | |
| | a Did the corporation make any payments in 2011 that would require it to file Form(s) 1099 (see instructions)? | | | | | | |
| | | s," did the corporation file or will it file all required Forms 1099? | | | Χ | | |
| Sch | nedul | Shareholders' Pro Rata Share Items | | Total amou | unt | | |
| | 1 | Ordinary business income (loss) (page 1, line 21) | 1 | -18 | 3,419 | | |
| | 2 | Net rental real estate income (loss) (attach Form 8825) | 2 | | | <u> </u> | |
| | 3a | Other gross rental income (loss) | | | | 1 | |
| | b | Expenses from other rental activities (attach statement) | | | | 1 | |
| <u>(6</u> | С | Other net rental income (loss). Subtract line 3b from line 3a | 3с | | 0 | | |
|)SO | 4 | Interest income | 4 | | | | |
| j | 5 | Dividends: a Ordinary dividends | 5a | | | | |
| ncome (Loss) | | b Qualified dividends | | | | 1 | |
| Ö | 6 | Royalties | 6 | | | | |
| <u> </u> | 7 | Net short-term capital gain (loss) (attach Schedule D (Form 1120S)) | 7 | | | | |
| | 8a | Net long-term capital gain (loss) (attach Schedule D (Form 1120S)) | 8a | | | | |
| | b | Collectibles (28%) gain (loss) | | | | Ì | |
| | С | Unrecaptured section 1250 gain (attach statement) | | | | Ì | |
| | 9 | Net section 1231 gain (loss) (attach Form 4797) | 9 | | -377 | | |
| | 10 | Other income (loss) (see instructions) Type | 10 | | | | |

Form **1120S** (2011)

16-1578513 Page **3**

| Form 112 | .03 (20 | | | | Page 3 |
|---|---------|--|--------|--------------|-------------|
| | | Shareholders' Pro Rata Share Items (continued) | | Total amount | 1 |
| ns | 11 | Section 179 deduction (attach Form 4562) | 11 | 1,61 | 1 |
| Deductions | 12a | Contributions | 12a | 2 | 5 |
| nc | b | Investment interest expense | 12b | | |
| ed | С | Section 59(e)(2) expenditures (1) Type ► (2) Amount ► | 12c(2) | | |
| | d | Other deductions (see instructions) Type | 12d | | |
| | 13a | Low-income housing credit (section 42(j)(5)) | 13a | | |
| | _ | | | | |
| | b | Low-income housing credit (other) | 13b | | |
| lits | C | Qualified rehabilitation expenditures (rental real estate) (attach Form 3468) | 13c | | |
| Credits | d | Other rental real estate credits (see instructions) Type | 13d | | |
| Ö | е | Other rental credits (see instructions) Type | 13e | | |
| | f | Alcohol and cellulosic biofuel fuels credit (attach Form 6478) | 13f | | |
| | g | Other credits (see instructions) Type | 13g | | |
| | 14a | Name of country or U.S. possession | | | |
| | b | Gross income from all sources | 14b | | |
| | С | Gross income sourced at shareholder level | 14c | | |
| | | Foreign gross income sourced at corporate level | | | |
| | d | Passive category | 14d | | |
| ns | e | General category | 14e | | |
| Foreign Transactions | _ | Other (attach statement) | 14f | | |
| sac | • | Deductions allocated and apportioned at shareholder level | 1-71 | | |
| aus | _ | | 140 | | |
| Ë | 9 | Interest expense | 14g | | |
| gn | h | Other | 14h | | |
| ē | | Deductions allocated and apportioned at corporate level to foreign source income | | | |
| Ро | i | Passive category | 14i | | |
| | j | General category | 14j | | |
| | k | Other (attach statement) | 14k | | |
| | | Other information | | | |
| | I | Total foreign taxes (check one): Paid Accrued | 141 | | |
| | m | Reduction in taxes available for credit (attach statement) | 14m | | |
| | n | Other foreign tax information (attach statement) | | | |
| | 15a | Post-1986 depreciation adjustment | 15a | | |
| s ax | b | Adjusted gain or loss | 15b | | |
| tive n Ta | С | Depletion (other than oil and gas) | 15c | | |
| Alternative Minimum Tax (AMT) Items | d | Oil, gas, and geothermal properties—gross income | 15d | | |
| nin M | e | Oil, gas, and geothermal properties—deductions | 15e | | |
| ΑĒΘ | f | Other AMT items (attach statement) | 15f | | + |
| <u></u> | | | | | - |
| Items Affecting Shareholder Basis | 16a | Tax-exempt interest income | 16a | | |
| ffec hold sis | b | Other tax-exempt income | 16b | | 0 |
| s A arel Ba | C | Nondeductible expenses | 16c | 48 | |
| em Sh8 | d | Distributions (attach statement if required) (see instructions) | 16d | 3,693 | 3 |
| = | е | Repayment of loans from shareholders | 16e | | +- |
| Recon- Ciliation Information | 17a | Investment income | 17a | | |
| her nat | b | Investment expenses | 17b | | |
| 5.5 | С | Dividend distributions paid from accumulated earnings and profits | 17c | | |
| 直 | d | Other items and amounts (attach statement) | | | |
| n- on | | | | | |
| atic | 18 | Income/loss reconciliation. Combine the amounts on lines 1 through 10 in the far right | | | |
| ₽ĸ | | column. From the result, subtract the sum of the amounts on lines 11 through 12d and 14l | 18 | -20,432 | 2 |
| | | , | | | |

Form **1120S** (2011)

16-1578513 Page **4**

| Sch | edule L Balance Sheets per Books | Beginnin | Beginning of tax year | | End of tax year | | ax year |
|-----|---|-------------------|-----------------------|-----------------------|-----------------|------------|--------------------------|
| | Assets | (a) | | (b) | (c) | | (d) |
| 1 | Cash | | | 2,560 | | | (4,517) |
| 2a | Trade notes and accounts receivable | | | , | | | , , |
| | Less allowance for bad debts | | | 0 | | | 0 |
| 3 | Inventories | | | 3,545 | | | 3,545 |
| 4 | U.S. government obligations | | | -, | | | -, |
| 5 | Tax-exempt securities (see instructions) | | | | | | |
| 6 | Other current assets (attach statement) | | | | | | |
| 7 | Loans to shareholders | | | | | | |
| 8 | Mortgage and real estate loans | | | | | | |
| 9 | Other investments (attach statement) | | | | | | |
| | | 12,288 | | 1 | 1 | 0,874 | |
| | Buildings and other depreciable assets | 10,170 | | 2,118 | | 9,583 | 1 201 |
| | Less accumulated depreciation | 10,170 | | 2,110 | | 9,003 | 1,291 |
| | Depletable assets | | | 0 | | | 0 |
| | Less accumulated depletion | | | 0 | | | 0 |
| 12 | Land (net of any amortization) | | | | | | |
| | Intangible assets (amortizable only) | | | | | | • |
| | Less accumulated amortization | | | 0 | | | 0 |
| 14 | Other assets (attach statement) | | | | | | |
| 15 | Total assets | | | 8,223 | | | 319 |
| | Liabilities and Shareholders' Equity | | | | | | |
| 16 | Accounts payable | | | | | | |
| 17 | Mortgages, notes, bonds payable in less than 1 year | | | | | | |
| 18 | Other current liabilities (attach statement) | | | 27,178 | | | 44,294 |
| 19 | Loans from shareholders | | | 43,852 | | | 43,852 |
| 20 | Mortgages, notes, bonds payable in 1 year or more | | | | | | |
| 21 | Other liabilities (attach statement) | | | | | | |
| 22 | Capital stock | | | 2,500 | | | 2,500 |
| 23 | Additional paid-in capital | | | | | | |
| 24 | Retained earnings | | (| 65,307) | | | (90,327) |
| 25 | Adjustments to shareholders' equity (attach statement) | | | | | | |
| 26 | Less cost of treasury stock | | | | | | |
| 27 | Total liabilities and shareholders' equity | | | 8,223 | | | 319 |
| Sch | nedule M-1 Reconciliation of Income (Los | s) per Books With | Income | (Loss) per F | Return | | |
| | Note. Schedule M-3 required instea | | | | | e instruc | tions |
| 1 | Net income (loss) per books | | | ne recorded on boo | | | |
| 2 | Income included on Schedule K, lines 1, 2, 3c, 4, | -21,200 | | hedule K, lines 1 t | • | | |
| _ | 5a, 6, 7, 8a, 9, and 10, not recorded on books this | | | xempt interest | • | -). | |
| | | | a 1ax-e | xempt interest | Ψ | | 0 |
| 3 | year (itemize): Expenses recorded on books this year not | | 6 Dedi | uctions included | d on Schedule | K linge | <u> </u> |
| 3 | included on Schedule K, lines 1 through 12 | | | ough 12 and 14 | | 11, 111103 | |
| | and 14I (itemize): | | | nst book incom | _ | mize). | |
| _ | Depresiation C | | | eciation \$ | | | |
| | Travel and entertainment \$ 48 | | a Depi | | | | 0 |
| D | See Attached Statement 756 | 804 | 7 Add | lines 5 and 6 | | | 0 |
| 4 | Add lines 1 through 3 | | | e (loss) (Schedule K, | | | -20,432 |
| | nedule M-2 Analysis of Accumulated Adju | | | | | | |
| OCI | Undistributed Taxable Income | • | | • | Account, and | u Silait | enoluers |
| | Oldistributed Taxable income | 1 | | 1 | | | |
| | | (a) Accumulate | | | adjustments | ` ' | reholders' undistributed |
| | | adjustments acco | | acc | ount | taxable | ncome previously taxed |
| 1 | Balance at beginning of tax year | (| 65,307) | | | | |
| 2 | Ordinary income from page 1, line 21 | | | | | | |
| 3 | Other additions | | | | | | |
| 4 | Loss from page 1, line 21 | (| 18,419) | | | | |
| 5 | Other reductions | | 2,908 | | | | |
| 6 | Combine lines 1 through 5 | (| 86,634) | | 0 | | 0 |
| 7 | Distributions other than dividend distributions | | 3,693 | | 0 | | 0 |
| 8 | Balance at end of tax year. Subtract line 7 from line 6 | (| 90,327) | | 0 | <u> </u> | 0 |

9:13 AM 08/23/12 Accrual Basis

Ulrich's Tavern Inc Balance Sheet

As of December 31, 2009

| | Dec 31, 09 |
|--|---|
| ASSETS Current Assets Checking/Savings First Niagara ckg | -1,834.89 |
| First Niagara tax Petty cash | -622.13 4,598.48 |
| Total Checking/Savings | 2,141.46 |
| Other Current Assets Inventory Beverages Beer Liquor Non-Alcoholic Wine | 2,289.72 1,861.28 741.68 352.02 |
| Total Beverages | 5,244.70 |
| Food | 1,943.38 |
| Total Inventory | 7,188.08 |
| Total Other Current Assets | 7,188.08 |
| Total Current Assets | 9,329.54 |
| Fixed Assets Equipment Accum Deprec Equipment - Other | -6,874.93 9,577.80 |
| Total Equipment | 2,702.87 |
| Total Fixed Assets | 2,702.87 |
| TOTAL ASSETS | 12,032.41 |
| LIABILITIES & EQUITY Liabilities Current Liabilities Other Current Liabilities Due 674 | 89.07 |
| Gift certificates | 3,600.00 |
| NYS Sales tax | 14,039.03 |
| Payroll Liabilities | 12,960.02 |
| Total Other Current Liabilities | 30,688.12 |
| Total Current Liabilities | 30,688.12 |
| Long Term Liabilities Loans from shareholder | 44,213.55 |
| Total Long Term Liabilities | 44,213.55 |
| Total Liabilities | 74,901.67 |
| Equity Capital Stock Owners contribution Owners draw Retained Earnings Net Income | 2,500.00 110,935.98 -101,074.86 -102,342.40 27,112.02 |
| Total Equity | -62,869.26 |
| TOTAL LIABILITIES & EQUITY | 12,032.41 |

Ulrich's Tavern Inc Profit & Loss

January 1 through May 20, 2012

| | Jan 1 - May 20, 12 |
|--|-----------------------|
| Ordinary Income/Expense | |
| Income | |
| Comps Sales | -70.00 |
| Alcohol | |
| Liquor | 6,663.87 |
| Wine | 3,214.95 |
| Total Alcohol | 9,878.82 |
| Beer | 64,939.67 |
| Beverage | 7,784.42 |
| Food Miscellaneous | 126,548.48 927.98 |
| | ***** |
| Total Sales | 210,079.37 |
| Total Income | 210,009.37 |
| Cost of Goods Sold Cost of sales | |
| Alcohol | |
| Purchases Liquor | 3,671.71 |
| Purchases Wine | 1,162.11 |
| Total Alcohol | 4,833.82 |
| Purchases Beer | 19,893.78 |
| Purchases Food Purchases Miscellaneous | 68,108.66 2,633.34 |
| Total Cost of sales | 95,469.60 |
| Total COGS | 95,469.60 |
| Total COGS | 95,409.00 |
| Gross Profit | 114,539.77 |
| Expense | 1 625 11 |
| Advertising Band | 1,625.11 8,710.00 |
| Bank Service Charges | 5,. 15.55 |
| Credit card fees | 3,177.01 |
| Insufficient funds | 105.00 |
| Service charge Bank Service Charges - Other | 191.95 1,675.64 |
| · | |
| Total Bank Service Charges | 5,149.60 |
| Bar keep Cleaning | 6,875.00 4,348.15 |
| Equipment Rental | 466.93 |
| Exterminators | 0.00 |
| Insurance | |
| Disability Insurance | 56.08 |
| Liability Insurance Work Comp | 1,053.21 1,330.45 |
| Total Insurance | 2,439.74 |
| Licenses and Permits | 122.40 |
| Linen | 1,922.55 |
| Office Supplies | 1,388.63 |
| Payroll Expenses | 1,171.85 |
| Professional Fees Accounting | 1,925.00 |
| Legal Fees | 250.00 |
| Total Professional Fees | 2,175.00 |
| Rent | 15,000.00 |
| 17GHt | 15,000.00 |

11:38 AM 08/09/12 Accrual Basis

Ulrich's Tavern Inc Profit & Loss

January 1 through May 20, 2012

| | Jan 1 - May 20, 12 |
|--|---------------------------------------|
| Repairs Building Repairs Equipment Repairs Repairs - Other | 121.37 870.66 260.00 |
| Total Repairs | 1,252.03 |
| Salaries and wages Officer Staff | 10,000.00 42,144.00 |
| Total Salaries and wages | 52,144.00 |
| Supplies Taxes | 1,981.65 |
| Payroll State | 7,383.86 300.00 |
| Total Taxes | 7,683.86 |
| Telephone Travel & Ent Meals Travel Travel & Ent - Other | 1,416.11 31.00 902.40 155.60 |
| Total Travel & Ent | 1,089.00 |
| Utilities Gas and Electric Water Utilities - Other | 3,400.49 1,690.21 25.00 |
| Total Utilities | 5,115.70 |
| Total Expense | 122,077.31 |
| Net Ordinary Income | -7,537.54 |
| Net Income | -7,537.54 |