

| United States Bankruptcy Court<br>Northern District of Ohio  |   | Voluntary Petition   |
|--|---|--|
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>The Maximilian Group Inc.</b>   |   | 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):<br><b>dba Jackson Dairy Queen</b>   |   | 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): <b>34-1820866</b>   |   | 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. & Street, City, State & Zip Code):<br><b>5642 Wales Avenue NW<br/>Massillon, OH</b>  |   | Street Address of Joint Debtor (No. & Street, City, State & Zip Code):   |
| ZIPCODE <b>44646</b>   |   | ZIPCODE  |
| County of Residence or of the Principal Place of Business:<br><b>Stark</b>   |   | County of Residence or of the Principal Place of Business:   |
| Mailing Address of Debtor (if different from street address)   |   | Mailing Address of Joint Debtor (if different from street address):  |
| ZIPCODE  |   | ZIPCODE  |
| Location of Principal Assets of Business Debtor (if different from street address above):<br><b>5642 Wales Avenue NW, Massillon, OH</b>  |   | ZIPCODE <b>44646</b>   |
| <b>Type of Debtor</b><br>(Form of Organization)<br>(Check <b>one</b> box.)<br><br><input type="checkbox"/> Individual (includes Joint Debtors)<br><i>See Exhibit D on page 2 of this form.</i><br><input checked="" type="checkbox"/> Corporation (includes LLC and LLP)<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)<br><hr/>   | <b>Nature of Business</b><br>(Check <b>one</b> box.)<br><br><input type="checkbox"/> Health Care Business<br><input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B)<br><input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker<br><input type="checkbox"/> Clearing Bank<br><input checked="" type="checkbox"/> Other<br><br><hr/> <b>Tax-Exempt Entity</b><br>(Check box, if applicable.)<br><br><input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). | <b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check <b>one</b> box.)<br><br><input type="checkbox"/> Chapter 7<br><input type="checkbox"/> Chapter 9<br><input checked="" type="checkbox"/> Chapter 11<br><input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Chapter 13<br><br><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding<br><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding<br><br><hr/> <b>Nature of Debts</b><br>(Check one box.)<br><br><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."<br><input checked="" type="checkbox"/> Debts are primarily business debts. |
| <b>Filing Fee</b> (Check one box)<br><br><input checked="" type="checkbox"/> Full Filing Fee attached<br><br><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.<br><br><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. |   | <b>Chapter 11 Debtors</b><br><br><b>Check one box:</b><br><input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).<br><input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).<br><br><b>Check if:</b><br><input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000.<br><br><hr/> <b>Check all applicable boxes:</b><br><input type="checkbox"/> A plan is being filed with this petition<br><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).  |
| <b>Statistical/Administrative Information</b><br><input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.<br><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.   |   | THIS SPACE IS FOR COURT USE ONLY   |
| Estimated Number of Creditors<br><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<br><input checked="" 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 million to \$10 million <input type="checkbox"/> \$10 million to \$50 million <input type="checkbox"/> \$50 million to \$100 million <input type="checkbox"/> \$100 million to \$500 million <input type="checkbox"/> \$500,000 to \$1 billion <input type="checkbox"/> More than \$1 billion                                |   |  |
| Estimated Liabilities<br><input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1 million to \$10 million <input type="checkbox"/> \$10 million to \$50 million <input type="checkbox"/> \$50 million to \$100 million <input type="checkbox"/> \$100 million to \$500 million <input type="checkbox"/> \$500,000 to \$1 billion <input type="checkbox"/> More than \$1 billion                           |   |  |

|   |  |
|---|--|
| <b>Voluntary Petition</b><br><i>(This page must be completed and filed in every case)</i> | Name of Debtor(s):<br><b>The Maximilian Group Inc.</b> |
|---|--|

**Prior Bankruptcy Case Filed Within Last 8 Years** (If more than two, attach additional sheet)

|                                   |              |             |
|-----------------------------------|--------------|-------------|
| Location Where Filed: <b>None</b> | Case Number: | Date Filed: |
|-----------------------------------|--------------|-------------|

|                       |              |             |
|-----------------------|--------------|-------------|
| 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:<br><b>None</b> | Case Number: | Date Filed: |
|--------------------------------|--------------|-------------|

|           |               |        |
|-----------|---------------|--------|
| District: | Relationship: | Judge: |
|-----------|---------------|--------|

|   |   |
|---|---|
| <p style="text-align: center;"><b>Exhibit A</b></p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p> | <p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>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 § 342(b) of the Bankruptcy Code.</p> <p style="text-align: center;"> <input checked="" type="checkbox"/> _____<br/>                 Signature of Attorney for Debtor(s) <span style="float: right;">Date</span> </p> |
|---|---|

**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 a 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 or lessor that obtained judgment)

\_\_\_\_\_

(Address of landlord or lessor)

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)).

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

Name of Debtor(s):  
**The Maximilian Group Inc.**

**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 State 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 \_\_\_\_\_  
 Signature of Debtor

X \_\_\_\_\_  
 Signature of Joint Debtor

\_\_\_\_\_  
 Telephone Number (If not represented by attorney)

\_\_\_\_\_  
 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 Attorney\***

X /s/ Anthony J. DeGirolamo, Esq.  
 Signature of Attorney for Debtor(s)

**Anthony J. DeGirolamo, Esq. 0059265**  
**Anthony J. DeGirolamo, Attorney at Law**  
**116 Cleveland Ave., N.W., Suite 307**  
**Canton, OH 44702**  
**(330) 588-9700 Fax: (330) 588-9713**  
**ajdlaw@sbcglobal.net**

**March 24, 2010**  
 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 Non-Attorney Petition Preparer**

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 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 \_\_\_\_\_  
 Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

\_\_\_\_\_  
 Date

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.*

**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/ Thomas Uhler  
 Signature of Authorized Individual

**Thomas Uhler**  
 Printed Name of Authorized Individual

**President**  
 Title of Authorized Individual

**March 24, 2010**  
 Date

**United States Bankruptcy Court  
Northern District of Ohio**

IN RE:

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

The Maximilian Group Inc.

Chapter 11

Debtor(s)

**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 and Fed. R. Bankr. P. 1007(m).

| (1)<br>Name of creditor and complete mailing address<br>including zip code                            | (2)<br>Name, telephone number and complete mailing<br>address, including zip code, of employee, agent<br>or department of creditor familiar with claim<br>who may be contacted | (3)<br>Nature of claim<br>(trade debt,<br>bank loan,<br>government<br>contract, etc.) | (4)<br>Indicate if claim<br>is contingent,<br>unliquidated,<br>disputed or<br>subject to setoff | (5)<br>Amount of<br>claim (if<br>secured also<br>state value of<br>security) |
|---|--|---|---|--|
| Ward Enterprises<br>C/O Jeffrey Ward<br>3926 Clock Pointe Trail, Ste 103<br>Stow, OH 44224            |  | Trade debt  | Unliquidated  | 60,000.00  |
| Chase<br>C/O Barren & Merry Co. LPA<br>110 Polaris Parkway, Suite 302<br>Columbus, OH 43802           |  |   |   | 59,154.09  |
| Internal Revenue Service<br>Insolvency Group<br>1240 East 9th Street, Room 457<br>Cleveland, OH 44199 |  |   |   | 52,861.91  |
| PNC Bank<br>C/O Weltman Weinberg & Reis<br>323 West Lakeside Avenue, Suite 200<br>Cleveland, OH 44113 |  | Bank loan   |   | 37,134.59  |
| G.E. Capital Financial Inc.<br>P.O. Box 981422<br>El Paso, TX 79998                                   | Zwicker & Associates<br>80 Minuteman Road<br>Andover, MA 01810   |   |   | 24,602.14  |
| Chase<br>P.O. Box 15153<br>Wilmington, DE 19886   | Zwicker & Associates<br>80 Minuteman Road<br>Andover, MA 01810   |   |   | 22,464.50  |
| Capital One<br>C/O Coface Collections North America Inc<br>P.O. Box 8510<br>Metairie, LA 70011        |  |   |   | 21,487.50  |
| Chase<br>P.O. Box 15153<br>Wilmington, DE 19886   | Frederick J. Hanna & Associates<br>1427 Roswell Road<br>Marietta, GA 30062   |   |   | 15,148.99  |
| Chase<br>P.O. Box 15153<br>Wilmington, DE 19886   | Frederick J. Hanna & Associates<br>1427 Roswell Road<br>Marietta, GA 30062   |   |   | 14,174.84  |
| Bank Of America<br>P.O. Box 15710<br>Wilmington, DE 19886   |  |   |   | 9,356.75   |
| Avalon Food Service<br>P.O. Box 536<br>Canal Fulton, OH 44614   |  | Trade debt  |   | 7,000.00   |
| Ohio Edison<br>P.O. Box 3637<br>Akron, OH 44309-3637  |  |   |   | 6,647.88   |

|   |   |            |          |          |
|---|---|------------|----------|----------|
| FirstMerit Bank NA<br>P.O. Box 1499<br>Akron, OH 44309  |   |            |          | 5,135.33 |
| Sam's Club<br>P.O. Box 530981<br>Atlanta, GA 30353  | Nationwide Credit Inc.<br>2015 Vaugh Road NW Suite 400<br>Kennesaw, GA 30144  |            |          | 4,266.13 |
| Foxboro Fulton Center Ltd<br>C/O/ Rg Nieto Co. Inc.<br>270 Somerset Drive<br>Hinkley, OH 44233          |   | Trade debt | Disputed | 4,163.00 |
| Ohio Department Of Job & Family Services<br>P.O. Box 182404<br>Columbus, OH 43218                       |   |            |          | 3,560.80 |
| Dominion East Ohio<br>P.O. Box 26785<br>Richmond, VA 23261  |   |            |          | 2,654.57 |
| State Of Ohio Department Of Taxation<br>Attn: Bankruptcy Division<br>P.O. Box 530<br>Columbus, OH 43216 | Ohio Attorney General<br>Revenue Recovery/Collections<br>Enforcement<br>150 E Gay St 21st Flr<br>Columbus, OH 43215 |            |          | 2,107.62 |
| Lowe's<br>P.O. Box 530914<br>Atlanta, GA 30353  |   |            |          | 1,025.65 |

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

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

Date: March 24, 2010 Signature: /s/ Thomas Uhler

**Thomas Uhler, President**

(Print Name and Title)

United States Bankruptcy Court  
Northern District of Ohio

IN RE:

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

The Maximilian Group Inc.

Chapter **11**

Debtor(s)

**VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: March 24, 2010

Signature: /s/ Thomas Uhler  
**Thomas Uhler, President**

Debtor

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Joint Debtor, if any

AmerAssist  
8415 Pulsar Place  
Columbus, OH 43240

American Dairy Queen Corp,  
Attn. President  
7505 Metro Blvd  
Minneapolis, MN 55439

Avalon Food Service  
P.O. Box 536  
Canal Fulton, OH 44614

Bank Of America  
P.O. Box 15710  
Wilmington, DE 19886

Capital One  
C/O Coface Collections North America Inc  
P.O. Box 8510  
Metairie, LA 70011

Chase  
C/O Barren & Merry Co. LPA  
110 Polaris Parkway, Suite 302  
Columbus, OH 43802

Chase  
P.O. Box 15153  
Wilmington, DE 19886

Dominion East Ohio  
P.O. Box 26785  
Richmond, VA 23261

FirstMerit Bank NA  
P.O. Box 1499  
Akron, OH 44309

Foxboro Fulton Center Ltd  
C/O/ Rg Nieto Co. Inc.  
270 Somerset Dr.  
Hinkley, OH 44233

Foxboro Fulton Center Ltd  
C/O/ Rg Nieto Co. Inc.  
270 Somerset Drive  
Hinkley, OH 44233

Frederick J. Hanna & Associates  
1427 Roswell Road  
Marietta, GA 30062

G.E. Capital Financial Inc.  
P.O. Box 981422  
El Paso, TX 79998

Internal Revenue Service  
Insolvency Group  
1240 East 9th Street, Room 457  
Cleveland, OH 44199

Lowe's  
P.O. Box 530914  
Atlanta, GA 30353

Nationwide Credit Inc.  
2015 Vaugh Road NW Suite 400  
Kennesaw, GA 30144



Ohio Attorney General  
Revenue Recovery/Collections Enforcement  
150 E Gay St 21st Flr  
Columbus, OH 43215

Ohio Department Of Job & Family Services  
P.O. Box 182404  
Columbus, OH 43218

Ohio Edison  
P.O. Box 3637  
Akron, OH 44309-3637

PNC Bank  
C/O Weltman Weinberg & Reis  
323 West Lakeside Avenue, Suite 200  
Cleveland, OH 44113

Sam's Club  
P.O. Box 530981  
Atlanta, GA 30353

Stark County Treasurer  
County Administrative Building  
110 Central Plaza South, Suite 250  
Canton, OH 44702-1410

State Of Ohio Department Of Taxation  
Attn: Bankruptcy Division  
P.O. Box 530  
Columbus, OH 43216

Thomas Uhler  
4607 East Messner Road  
Wooster, OH 44691

Ward Enterprises  
C/O Jeffrey Ward  
3926 Clock Pointe Trail, Ste 103  
Stow, OH 44224

Wells Fargo Bank NA  
MAC N8200-066  
666 Walnut St.  
Des Moines, IA 50309

Zwicker & Associates  
80 Minuteman Road  
Andover, MA 01810