

B1 (Official Form 1)(4/10)

**United States Bankruptcy Court
Eastern District of Pennsylvania**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Joebriana, LLC	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): DBA Upland Cafe	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) 26-2357156	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): 700 Upland Ave. Reading, PA <div style="text-align: right; font-size: small;">ZIP Code 19607</div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; font-size: small;">ZIP Code</div>
County of Residence or of the Principal Place of Business: Berks	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): 655 Greenway Terrace Reading, PA <div style="text-align: right; font-size: small;">ZIP Code 19607</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above): 700 Upland Ave. Reading, PA 19607	

Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" 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 <hr/> 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 checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). 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 *** John A. DiGiamberardino 41268 *** <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.	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 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"/> \$1,000,001 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 checked="" 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 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	

<p>Voluntary Petition</p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): Joebriana, LLC</p>
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All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)

Location Where Filed: - None -	Case Number:	Date Filed:
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Location Where Filed:	Case Number:	Date Filed:
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Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor: Joseph F. and Marcie L. Promutico	Case Number: 11-22856	Date Filed: 11/08/11
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District: Eastern District of Pennsylvania	Relationship: sole members	Judge: Richard E. Fehling
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<p style="text-align: center;">Exhibit A</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;">Exhibit 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 11 U.S.C. §342(b).</p> <p>X _____ Signature of Attorney for Debtor(s) (Date)</p>
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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):
Joebriana, LLC

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 _____
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/ John A. DiGiamberardino
Signature of Attorney for Debtor(s)

John A. DiGiamberardino 41268
Printed Name of Attorney for Debtor(s)

Case, DiGiamberardino & Lutz, P.C
Firm Name

845 North Park Road
Suite 101
Wyomissing, PA 19610

Address

610-372-9900 Fax: 610-372-5469
Telephone Number

November 8, 2011
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 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.

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/ Joseph F. Promutico
Signature of Authorized Individual

Joseph F. Promutico
Printed Name of Authorized Individual

member
Title of Authorized Individual

November 8, 2011
Date

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court
Eastern District of Pennsylvania**

In re Joebriana, LLC

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)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<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>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
U.S. Small Business Administration Philadelphia District Office 900 Market St., 5th floor Robert N.C. Nix Federal Bldg. Philadelphia, PA 19107	U.S. Small Business Administration Philadelphia District Office 900 Market St., 5th floor Philadelphia, PA 19107	700 Upland Ave., Reading, PA		150,000.00 (0.00 secured)
Fulton Bank One Penn Square Lancaster, PA 17602	Fulton Bank One Penn Square Lancaster, PA 17602	700 Upland Ave., Reading, PA 19607		137,129.00 (0.00 secured) (70,817.96 senior lien)
Fulton Bank One Penn Square Lancaster, PA 17602	Fulton Bank One Penn Square Lancaster, PA 17602	700 Upland Ave., Reading, PA 19607		69,478.00 (0.00 secured) (1,339.96 senior lien)
Fulton Bank One Penn Square Lancaster, PA 17602	Fulton Bank One Penn Square Lancaster, PA 17602	700 Upland Ave., Reading, PA 19607		64,989.00 (0.00 secured) (212,667.96 senior lien)
City of Reading City Hall 815 Washington St. Reading, PA 19601	City of Reading City Hall 815 Washington St. Reading, PA 19601	liquor license		30,128.00 (0.00 secured) (277,856.96 senior lien)
PA Dept. of Revenue Bureau of Compliance P.O. Box 280948 Harrisburg, PA 17128-0948	PA Dept. of Revenue Bureau of Compliance P.O. Box 280948 Harrisburg, PA 17128-0948	sales tax ending 1/31/11		7,656.00
Fulton Bank One Penn Square Lancaster, PA 17602	Fulton Bank One Penn Square Lancaster, PA 17602	700 Upland Ave., Reading, PA 19607		4,721.00 (0.00 secured) (207,946.96 senior lien)
Joseph Periandi, CPA 1150 Berkshire Blvd. Wyomissing, PA 19610	Joseph Periandi, CPA 1150 Berkshire Blvd. Wyomissing, PA 19610	accounting services		2,350.00
Triple H Alarm P.O. Box 4098 Reading, PA 19606	Triple H Alarm P.O. Box 4098 Reading, PA 19606	alarm service		2,196.00

B4 (Official Form 4) (12/07) - Cont.

In re **Joebriana, LLC**

Case No. _____

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>
UGI Energy Services, Inc. 1 Meridian Blvd., Ste. 2C01 Wyomissing, PA 19610	UGI Energy Services, Inc. 1 Meridian Blvd., Ste. 2C01 Wyomissing, PA 19610	utility		982.00
John H. Green Trash Removal P.O. Box 8535 Reading, PA 19603	John H. Green Trash Removal P.O. Box 8535 Reading, PA 19603	trash removal		850.00
Coriann Mammarella 415 Acer Drive Blandon, PA 19510	Coriann Mammarella 415 Acer Drive Blandon, PA 19510	bookkeeping		700.00
Mike Lala Electric 140 Beacon Hill Road Temple, PA 19560	Mike Lala Electric 140 Beacon Hill Road Temple, PA 19560	electrical services		691.00
Ohio Casualty P.O. Box 2050 Keene, NH 03431	Ohio Casualty P.O. Box 2050 Keene, NH 03431	insurance		469.00
Certegy Payment Recovery Svcs. 3500 5th St. Northport, AL 35476	Certegy Payment Recovery Svcs. 3500 5th St. Northport, AL 35476	returned checks		437.00

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

I, the member 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 **November 8, 2011**

Signature **/s/ Joseph F. Promutico**
Joseph F. Promutico
member

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.

Bennett Law PLLC
10542 South Jordan Gateway
Ste. 200
South Jordan, UT 84095

Berks EIT Bureau
Tax Administrator/Collector
920 Van Reed Road
Wyomissing, PA 19610-1700

Brennan & Clark, Ltd.
721 E. Madison, Ste. 200
Villa Park, IL 60181

Certegy Payment Recovery Svcs.
3500 5th St.
Northport, AL 35476

City of Reading
Tax Administration
815 Washington St
Reading, PA 19601-3690

City of Reading
City Hall
815 Washington St.
Reading, PA 19601

City of Reading
Tax Administration Bureau
815 Washington St.
Reading, PA 19601

Coriann Mammarella
415 Acer Drive
Blandon, PA 19510

Fulton Bank
One Penn Square
Lancaster, PA 17602

Fulton Bank
1695 State Street
East Petersburg, PA 17520

James Stevens & Daniels
1283 College Park Drive
Dover, DE 19904

John H. Green Trash Removal
P.O. Box 8535
Reading, PA 19603

Joseph F. and Marcie L. Promutico
655 Greenway Terrace
Reading, PA 19607

Joseph Periandi, CPA
1150 Berkshire Blvd.
Wyomissing, PA 19610

Mike Lala Electric
140 Beacon Hill Road
Temple, PA 19560

Ohio Casualty
P.O. Box 2050
Keene, NH 03431

PA Dept. of Revenue
Bureau of Compliance
P.O. Box 280948
Harrisburg, PA 17128-0948

Patrick T. Barrett, Esquire
Essig, Valeriano & Fudeman, P.C.
1100 Berkshire Blvd., Ste. 101
Wyomissing, PA 19610

Scott F. Landis, Esquire
Barley Snyder, LLC
126 E. King St.
Lancaster, PA 17602

Triple H Alarm
P.O. Box 4098
Reading, PA 19606

U.S. Small Business Administration
Philadelphia District Office
900 Market St., 5th floor
Robert N.C. Nix Federal Bldg.
Philadelphia, PA 19107

UGI Energy Services, Inc.
1 Meridian Blvd., Ste. 2C01
Wyomissing, PA 19610