Case 16-21389-GLT Doc 1 Filed 04/12/16 Entered 04/12/16 16:52:37 Desc Main

	2 3.00	Documer	nt Page 1 of 8	3	
Fill	in this information to ident	ify your case:			
Uni	ted States Bankruptcy Court	for the:			
WE	STERN DISTRICT OF PENN	ISYLVANIA			
Cas	se number (if known)		Chapter11	☐ Check if this an amended filing	
V		on for Non-Individua		r Bankruptcy pes, write the debtor's name and case number (if	4/16 known).
For 1.	more information, a separa Debtor's name	te document, <i>Instructions for Bankrupto</i> Colucci Tile and Marble, Inc.	y Forms for Non-Indiv	iduals, is available.	
2.	All other names debtor used in the last 8 years Include any assumed names, trade names and				
3.	doing business as names Debtor's federal				
	Employer Identification Number (EIN)	25-1718899			
4.	Debtor's address	Principal place of business		lailing address, if different from principal place of usiness	:

517 McNeilly Road

Pittsburgh, PA 15226

☐ Partnership (excluding LLP)

☐ Other. Specify:

Number, Street, City, State & ZIP Code

Suite 200

Allegheny

County

Debtor's website (URL)

Type of debtor

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

P.O. Box, Number, Street, City, State & ZIP Code

Number, Street, City, State & ZIP Code

place of business

Location of principal assets, if different from principal

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Deb	Colucti Tilo alla illa	ble, Inc.	Document	Page 2 of 8	number (if known)
	Name				
7.	Describe debtor's business	A. Check one: Health Care Busing Single Asset Real Railroad (as define Stockbroker (as de Commodity Broker Clearing Bank (as None of the above	Estate (as defined in 1 ed in 11 U.S.C. § 101(4 efined in 11 U.S.C. § 1 (as defined in 11 U.S.C. § defined in 11 U.S.C. §	11 U.S.C. § 101(51B) 44)) 01(53A)) .C. § 101(6))	
		B. Check all that apply ☐ Tax-exempt entity (:		S.C. §501)	
		•	,	•	ent vehicle (as defined in 15 U.S.C. §80a-3)
		☐ Investment advisor	r (as defined in 15 U.S	s.c. 980b-2(a)(11))	
			rican Industry Classific ourts.gov/four-digit-na		code that best describes debtor. ics-codes.
8.	Under which chapter of the Bankruptcy Code is the debtor filing?	Check one: ☐ Chapter 7 ☐ Chapter 9 ☐ Chapter 11. Check	call that apply:		
			Debtor's aggregate		ated debts (excluding debts owed to insiders or affiliates) ct to adjustment on 4/01/19 and every 3 years after that).
			I The debtor is a sm business debtor, a	all business debtor a ttach the most recent eral income tax retur	s defined in 11 U.S.C. § 101(51D). If the debtor is a small balance sheet, statement of operations, cash-flow or if all of these documents do not exist, follow the
			l A plan is being file	d with this petition.	
			Acceptances of the accordance with 11		prepetition from one or more classes of creditors, in
			Exchange Commis	ssion according to § 1	ports (for example, 10K and 10Q) with the Securities and 3 or 15(d) of the Securities Exchange Act of 1934. File the <i>Individuals Filing for Bankruptcy under Chapter 11</i>
			The debtor is a she	ell company as define	d in the Securities Exchange Act of 1934 Rule 12b-2.
		☐ Chapter 12			
9.	Were prior bankruptcy cases filed by or against the debtor within the last 8 years?	■ No. □ Yes.			
	If more than 2 cases, attach a	District		When	Case number
	separate list.	District		When	Case number
10.	Are any bankruptcy cases pending or being filed by a	■ No			

When

business partner or an

affiliate of the debtor?
List all cases. If more than 1,

attach a separate list

☐ Yes.

Debtor

District

Relationship

Case number, if known

Case 16-21389-GLT Doc 1 Filed 04/12/16 Entered 04/12/16 16:52:37 Desc Main Page 3 of 8 Case number (if known) Document Debtor Colucci Tile and Marble, Inc. 11. Why is the case filed in Check all that apply: this district? Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district. A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district. 12. Does the debtor own or ■ No have possession of any Answer below for each property that needs immediate attention. Attach additional sheets if needed. real property or personal ☐ Yes. property that needs immediate attention? Why does the property need immediate attention? (Check all that apply.) ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety. What is the hazard? ☐ It needs to be physically secured or protected from the weather. ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options). ☐ Other Where is the property? Number, Street, City, State & ZIP Code Is the property insured? ☐ No ☐ Yes. Insurance agency Contact name Phone Statistical and administrative information 13. Debtor's estimation of Check one: available funds Funds will be available for distribution to unsecured creditors. ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors. 14. Estimated number of 1-49 **1**,000-5,000 **1** 25,001-50,000 creditors **5001-10,000 5**0,001-100,000 50-99 **1**0,001-25,000 ☐ More than 100,000 □ 100-199 **200-999** 15. Estimated Assets **\$0 - \$50,000** □ \$1,000,001 - \$10 million □ \$500,000,001 - \$1 billion **□** \$50,001 - \$100,000 □ \$10,000,001 - \$50 million □ \$1,000,000,001 - \$10 billion □ \$50,000,001 - \$100 million □ \$10,000,000,001 - \$50 billion **\$100.001 - \$500.000** □ \$100,000,001 - \$500 million ☐ More than \$50 billion

■ \$1,000,001 - \$10 million

□ \$10,000,001 - \$50 million

□ \$50,000,001 - \$100 million

□ \$100,000,001 - \$500 million

□ \$500,001 - \$1 million

□ \$50,001 - \$100,000

□ \$100,001 - \$500,000

□ \$500,001 - \$1 million

\$0 - \$50,000

16. Estimated liabilities

□ \$500.000.001 - \$1 billion

☐ More than \$50 billion

□ \$1,000,000,001 - \$10 billion

□ \$10,000,000,001 - \$50 billion

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Debtor

Colucci Tile and Marble, Inc.

Name

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

17.	Declaration and signature
	of authorized
	representative of debtor

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

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

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

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

Executed on April 12, 2016 MM / DD / YYYY

X	🕻 /s/ Carl J. Hilbert		Carl J. Hilbert	
	Signature of authorized representative of debtor		Printed name	
	Title	President		

18. Signature of attorney

Date April 12, 2016
 MM / DD / YYYY
kenny.steinberg@steidl-steinberg.com

208402 Bar number and State

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Fill in this information to identify the case	e:	
Debtor name Colucci Tile and Marbl	e, Inc.	
United States Bankruptcy Court for the:	WESTERN DISTRICT OF PENNSYLVANIA	☐ Check if this is an
Case number (if known):		amended filing

Official Form 204

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

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

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.			
		and government contracts)	•	Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim	
Baldwin Township c/o Jordan Tax Service 102 Rahway Road Canonsburg, PA 15317		Withholding taxes				Unknown	
Berkley Mid Atlantic Group 4820 Lake Brook Dr. Suite 300 Glen Allen, VA 23060		Business expense				\$11,744.00	
Best Tile Dist. of Pgh. 11040 Perry Highway Wexford, PA 15090		Business expense				\$121,560.52	
Capital Stack c/o Cap Call, LLC 11 Broadway Avenue Suite 814 New York, NY 10004		Loan				\$140,848.00	
Capital Stack c/o Cap Call, LLC 11 Broadway Avenue Suite 814 New York, NY 10004		Loan				\$47,078.00	
Capital Stack c/o Cap Call, LLC 11 Broadway Avenue Suite 814 New York, NY 10004		Loan				\$43,534.00	

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Debtor Colucci Tile and Marble, Inc.

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.			
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim	
CFG Merchant 85 Broad Street Floor 18 New York, NY 10004		Loan				\$13,519.00	
Enterprise Bank 4091 Mount Royal Blvd. Allison Park, PA 15101-2917		Loan		\$1,752,927.00	\$202,431.00	\$1,550,496.00	
Everest c/o EBF2001 NW 107 Avenue Miami, FL 33172		Loan				\$164,325.00	
Global Mercgant Cash 64 Beaver Street New York, NY 10004		Loan				\$11,923.00	
Greenapple Barter Services PO Box 101131 Pittsburgh, PA 15237-8131		Business expense				\$32,734.77	
Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346		Withholding Taxes				Unknown	
Mantis Funding, LLC 64 Beaver Street New York, NY 10004		Loan				\$28,630.00	
Markovitz Dugan & Associates 1001 East Entry Drive Pittsburgh, PA 15216-2943		Business expense				\$17,500.00	
OHM 195 Prospect Plains Rd. Monroe Township, NJ 08831		Business expense				\$124,734.50	
Pennsylvania Department of Revenue Bankruptcy Division PO Box 280946 Harrisburg, PA 17128		Withholding taxes				Unknown	

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Debtor Colucci Tile and Marble, Inc.
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim. Total claim, if Deduction for value partially secured of collateral or setoff		
Pennsylvania Department of Revenue Bankruptcy Division PO Box 280946 Harrisburg, PA 17128		Sales tax				Unknown
The Business Backer 10101 Alliance Road Suite 140 Cincinnati, OH 45242		Loan				\$92,150.00
Vision Financial 615 Iron City Drive Pittsburgh, PA 15205		Equipment		\$182,963.00	\$50,000.00	\$132,963.00
Web Bank c/o CAN Capital Asset Servicing, Inc. 155 North 400 West Suite 315 Salt Lake City, UT 84103		Loan				\$78,545.00

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United States Bankruptcy Court Western District of Pennsylvania

In re	Colucci Tile and Marble, Inc.		Case No.	
		Debtor(s)	Chapter	11
	CORPORAT	E OWNERSHIP STATEMENT	(RULE 7007.1)	l
recusa follow	ant to Federal Rule of Bankruptcy Probably, the undersigned counsel for <u>Colu</u> rying is a (are) corporation(s), other the of any class of the corporation's(s') experiments of the corporation of the corpor	cci Tile and Marble, Inc. in the aboan the debtor or a governmental un	ove captioned ac it, that directly o	tion, certifies that the or indirectly own(s) 10% or
■ Nor	ne [Check if applicable]			
April	12, 2016	/s/ Christopher M. Frye		
Date		Christopher M. Frye 208402		
		Signature of Attorney or Litig Counsel for Colucci Tile and		
		Steidl & Steinberg	<u> </u>	
		28th Floor - Gulf Tower 707 Grant Street		
		Pittsburgh, PA 15219-1908		
		412-391-8000 Fax:412-391-0221 kenny.steinberg@steidl-steinberg		