

UNITED STATES BANKRUPTCY COURT District of Puerto Rico		VOLUNTARY PETITION
Name of Debtor (if individual, enter Last, First, Middle): CAFE AMERICA, INC.	Name of Joint Debtor (Spouse) (Last, First, Middle): N/A	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): American Deli & Grill and/or American Deli	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): N/A	
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): XX-XXX4436	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): N/A	
Street Address of Debtor (No. and Street, City, and State): PO Box 191316 San Juan, PR <div style="text-align: right; border: 1px solid black; padding: 2px; width: fit-content; margin: 5px auto;">ZIP CODE 00919</div>	Street Address of Joint Debtor (No. and Street, City, and State): N/A <div style="text-align: right; border: 1px solid black; padding: 2px; width: fit-content; margin: 5px auto;">ZIP CODE</div>	
County of Residence or of the Principal Place of Business: San Juan, Puerto Rico	County of Residence or of the Principal Place of Business: N/A	
Mailing Address of Debtor (if different from street address): Idem. <div style="text-align: right; border: 1px solid black; padding: 2px; width: fit-content; margin: 5px auto;">ZIP CODE</div>	Mailing Address of Joint Debtor (if different from street address): N/A <div style="text-align: right; border: 1px solid black; padding: 2px; width: fit-content; margin: 5px auto;">ZIP CODE</div>	
Location of Principal Assets of Business Debtor (if different from street address above): <div style="text-align: right; border: 1px solid black; padding: 2px; width: fit-content; margin: 5px auto;">ZIP CODE</div>		
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.) <hr/>	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 Restaurant 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.) <div style="display: flex; justify-content: space-between;"> <div> <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 </div> <div> <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 </div> </div> Nature of Debts (Check one box.) <div style="display: flex; justify-content: space-between;"> <div> <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 house- hold purpose." </div> <div> <input checked="" type="checkbox"/> Debts are primarily business debts. </div> </div>
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 (<i>amount subject to adjustment</i> <i>on 4/01/13 and every three years thereafter</i>). ----- 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).	
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000		
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input checked="" 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		

Voluntary Petition <i>(This page must be completed and filed in every case.)</i>		Name of Debtor(s): Café América, Inc.	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)			
Location Where Filed: None.	Case Number: N/A	Date Filed:	
Location Where Filed: N/A	Case Number: N/A	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: N/A	Case Number: N/A	Date Filed:	
District: District of Puerto Rico	Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). X _____ Signature of Attorney for Debtor(s) (Date)	
Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> 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.) <input checked="" type="checkbox"/> 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. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> 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.) <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) <div style="text-align: right; margin-right: 100px;"> _____ (Name of landlord that obtained judgment) </div> <div style="text-align: right; margin-right: 100px;"> _____ (Address of landlord) </div> <input type="checkbox"/> 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 <input type="checkbox"/> Debtor has included with 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. <input type="checkbox"/> 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):
Café America, 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 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 Attorney*

X _____
Signature of Attorney for Debtor(s)
Gilberto Mayo-Pagán
Printed Name of Attorney for Debtor(s)

Firm Name
PO Box 13802
San Juan, PR 00908-3802

Address
(787) 751-9543
Telephone Number

Date **13/May/2011**

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

X _____
Signature of Authorized Individual
José M. Pérez Córdova
Printed Name of Authorized Individual
President
Title of Authorized Individual

Date
13/May/2011

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

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.

**RESOLUTION OF BOARD OF DIRECTORS CONSENTING TO
FILING OF VOLUNTARY PETITION IN BANKRUPTCY OF
CAFE AMERICA, INC.**

WHEREAS, the Board of Directors of this Corporation has adopted a resolution declaring it is advisable to file a voluntary petition in bankruptcy for reorganization under Chapter 11;

WHEREAS, the Corporation is a profit organization engaged in the business of delicatessen, operating in the Municipality of San Juan, Puerto Rico, under the name of *American Deli & Grill* and/or *American Deli*;

WHEREAS, it appears that continuation of operations is not appropriate without reorganization under chapter 11 of the Bankruptcy Court, since the assets of the Corporation are insufficient to pay all its debts and just demands for which the Corporation is liable, and numerous creditors are threatening to prosecute their claims against this Corporation, to the prejudice of other creditors of the Corporation;

NOW THEREFORE, BE IT RESOLVED, That the Board of Directors of this Corporation do hereby assent to file a chapter 11 voluntary bankruptcy petition, and do hereby authorize and direct its President, Mr. José Manuel Pérez Córdova, to sign the required petition, schedules, and all other instruments necessary to carry this resolution into effect; and

FURTHER RESOLVED, That the President José Manuel Pérez Córdova be and he hereby is authorized and directed to employ a competent attorney to represent the Corporation in the aforementioned bankruptcy proceeding.

DATED: San Juan, Puerto Rico, this 30th day of March, 2011.

/s/ **José Manuel Pérez Córdova**

/s/ **Ruth Iliana Pérez Córdova**

CERTIFICATE OF CORPORATE RESOLUTION
OF
CAFE AMERICA, INC.

I, Ruth Iliana Pérez Córdova, Secretary of Café América, Inc., certify that at a meeting duly held on March 30, 2011, at 10:00 a.m., and there being quorum present, the following resolution was approved by the Board of Directors:

WHEREAS, the Board of Directors of this Corporation has adopted a resolution declaring it is advisable to file a voluntary petition in bankruptcy for reorganization under Chapter 11;

WHEREAS, the Corporation is a profit organization engaged in the business of delicatessen, operating in the Municipality of San Juan, Puerto Rico, under the name of *American Deli & Grill* and/or *American Deli*;

WHEREAS, it appears that continuation of operations is not appropriate without reorganization under Chapter 11 of the Bankruptcy Code, since the assets of the Corporation are insufficient to pay all its debts and just demands for which the Corporation is liable, and numerous creditors are threatening to prosecute their claims against this Corporation, to the prejudice of other creditors of the Corporation;

NOW THEREFORE, BE IT RESOLVED, That the Board of Directors of this Corporation do hereby assent to file a chapter 11 voluntary bankruptcy petition, and do hereby authorize and direct its President, Mr. José Manuel Pérez Córdova, to sign the required petition, schedules, and all other instruments necessary to carry this resolution into effect; and

FURTHER RESOLVED, That the President José Manuel Pérez Córdova be and is hereby authorized and directed to employ a competent attorney to represent the Corporation in the aforementioned bankruptcy proceeding.

DATED: San Juan, Puerto Rico, this 30th day of March, 2011.

/s/ José Manuel Pérez Córdova
José Manuel Pérez Córdova

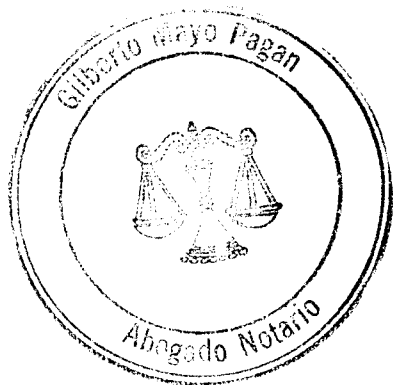
/s/ Ruth Iliana Pérez Córdova
Ruth Iliana Pérez Córdova

DATED: San Juan, Puerto Rico, this 13th day of May, 2011.


Ruth Iliana Pérez Córdova

AFFIDAVIT NO. 8205

Sworn and signed before me by Ruth Iliana Pérez Córdova, of legal age, single, resident of San Juan, Puerto Rico, and Secretary of the Board of Directors of Café América, Inc., d/b/a *American Deli & Grill* and/or *American Deli*, certify that the Corporate Resolution previously transcribed, which was duly signed by all the directors, is an exact copy of the original made to form part of the Corporate Book of this Corporation. I give faith of personally knowing the affiant. In San Juan, Puerto Rico, this 13th day of May, 2011.




NOTARY PUBLIC

United States Bankruptcy Court

_____ District Of PUERTO RICO

In re

CAFE AMERICA, INC.
D/B/A AMERICAN DELI & GRILL
AND/OR AMERICAN DELI

Case No. _____

Debtor

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

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

For legal services, I have agreed to accept \$ 5,000.00

Prior to the filing of this statement I have received \$ 1,500.00

Balance Due \$ 3,500.00

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

☒ Debtor ☐ Other (specify)

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

☒ Debtor ☐ Other (specify)

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

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

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

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

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR (Continued)

- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

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

Proceedings and appellate levels or state courts.

CERTIFICATION

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

May 13, 2011
Date

Signature of Attorney

Gilberto Mayo-Pagán, Esq.

Name of law firm

UNITED STATES BANKRUPTCY COURT

In re: **CAFE AMERICA, INC.**
D/B/A AMERICAN DELI & GRILL
A/K/A AMERICAN DELI

Case No. _____

Chapter 11

Debtor

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)	(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]
FFM A/A/F PDL & ASSOC. CO. LTD. 268 Ponce de León Avenue The Hato Rey Center Building Suite 402 Hato Rey, PR 00918 Acct. No. 7GCU		Rent (pending audit)	(c), (u), (d)	\$ 48,000.00
GLOBAL BAKERY PO Box 244 Puerto Real, P. R. 00740-0244		Supplier	(c), (u), (d)	1,201.30
HATO REY MEAT MARKET 153 Guayama Street San Juan, PR 00917		Supplier	(c), (u), (d)	849.30

(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]
MANUEL CONCEPCION MENDOZA d/b/a Manuel Concepción Vendors 884 Calle Paganini Reparto Sevilla San Juan, P. R. 00924		Supplier	(c), (u), (d)	3,705.35
NORTHWESTERN SELECTA PO Box 10718 San Juan, PR 00922-0718 Account No. 3655		Supplier	(c), (u), (d)	2,448.84
OLIVER EXTERMINATING PO Box 363888 San Juan, PR 00936-3888		Supplier	(c), (u), (d)	214.99
PROVISIONES LEGRAND PO Box 192217 San Juan, P. R. 00919-2217		Supplier	(c), (u), (d)	2,461.37
TRANSWORLD SYSTEMS 2235 Mercury Way Suite 275 Santa Rosa, CA 95407 Acct. No. 6814		Assignee or other notification for: Oliver Exterminating		

Date: May 13, 2011

/s/ José Manuel Pérez Córdova
President

DECLARATION UNDER PENALTY OF PERJURY

I, JOSE MANUEL PEREZ CORDOVA, President of Café América, Inc., the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Creditors Holding 20 Largest Unsecured Claims; and that it is true and correct, to the best of my information and belief.

Date: May 13, 2011

Signature

/s/ José Manuel Pérez Córdova
President of Café América, Inc.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

In re: **CAFE AMERICA, INC.**
D/B/A AMERICAN DELI & GRILL
A/K/A AMERICAN DELI

Case No.
Chapter 11

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s), or debtor's attorney, if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of TWO (2) sheets is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated: May 13, 2011

Signed: /s/ JOSE M. PEREZ CORDOVA
JOSE M. PEREZ CORDOVA
PRESIDENT

Signed: /S/ GILBERTO MAYO PAGAN
GILBERTO MAYO PAGAN
Attorney for Debtor
Bar No.: USDC 119104
P. O. BOX 13802
SAN JUAN, P. R. 00908-3802
Telephone & Fax No. (787) 751-9543
E-mail address: mayopagang@microjuris.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

**CAFE AMERICA, INC.
D/B/A AMERICAN DELI & GRILL
A/K/A AMERICAN DELI**

Debtor

CASE NO.

CHAPTER 11

APPLICATION FOR APPOINTMENT OF ATTORNEY FOR DEBTOR

TO THE HONORABLE COURT:

COMES NOW José Manuel Pérez Córdova, President of Debtor, who petitions the Court for appointment of an attorney pursuant to 11 U.S.C. § 327(a), as follows:

1. This Chapter 11 case was commenced by filing of Debtor's Voluntary Petition on May 17, 2011.

2. No Trustee has been appointed in this case and, therefore, Debtor is acting as Debtor-In-Possession.

3. Debtor is not sufficiently familiar with the law to be able to plan and conduct the proceedings herein without competent legal counsel. Consequently, in order to perform the many responsibilities of Debtor required by the Bankruptcy Code and Rules, regarding the operation of the business of Debtor in trust for and benefit of the estate, Debtor requires the advice of counsel. More over, Debtor will require counsel to:

- a. appear for it before this Court.
- b. prepare pleadings, applications and conduct examinations incidental to any related proceedings or to the administration of the case.

- c. draft corresponding disclosure statement.
 - d. development the relationship of Debtor with secured and unsecured creditors, as well as other parties in interest, and negotiate arrangements with creditors and other parties in interest, as deemed necessary.
 - e. negotiate and formulate a plan of reorganization.
 - f. advise the Debtor of its rights, duties, and obligations as a Debtor-In-Possession under Chapter 11 of the Bankruptcy Code.
 - g. take any and all necessary actions incidental to the proper preservation and administration of a chapter 11 case.
 - h. assist Debtor-In-Possession in its consultations with creditors concerning the administration of the case.
 - i. represent Debtor in contested matters and adversary proceedings before this Court and civil actions which may be pending before other courts.
 - j. assist Debtor in collection of accounts receivable deemed property of the estate.
 - k. perform such other and further legal services, as may become necessary during the course of proceeding.
4. Debtor desires to retain Gilberto Mayo-Pagán as counsel under the following terms and conditions:
- a. A total sum of \$5,000.00 which will cover all services to be provided of the bankruptcy proceedings at the District level.
 - b. Reimbursement of necessary costs and expenses related to the proceeding.
5. Debtor has selected attorney Gilberto Mayo-Pagán because of his expertise in the area of bankruptcy law and known professional reputation.

Attorney Gilberto Mayo-Pagán is a member of the Puerto Rico and Florida Bars, is authorized to practice in the United States District Court of Puerto Rico, the United States Court of Appeals for the First Circuit, and has practiced before the Bankruptcy Court during the past 33 years.

6. To the best of Debtor's knowledge, attorney Gilberto Mayo-Pagán has no connection with Debtor, creditors, any other party in interest, their respective attorneys and/or accountants, and is a disinterested person within the meaning of such term as defined and used in 11 U.S.C. §§ 101(14) and 327(a), and in accordance with the Bankruptcy Rule 2014(a). Attached is a statement of attorney Gilberto Mayo-Pagán, which is made to form part of this petition, pertaining his qualifications.

7. Attorney Mayo-Pagán has been paid in advanced a fixed sum of \$1,500.00 on April 4, 2011, to be credited against the fixed lump sum referred in paragraph 4(a) above. The remaining balance to be paid, pursuant to 11 USC 328 - 330(a), based on submitted periodic approved and authorized requests at the rate of \$125.00 dollars an hour.

8. The present application for appointment is submitted pursuant to Bankruptcy Code 327(a), which authorizes debtor-in-possession, subject to the Court's approval to employ professional persons, among other attorneys, to represent or perform services to the estate; and 11 U.S.C. § 328(a) which allows payment to employed professional persons on any reasonable terms and conditions of employment, including a retainer.

9. In compliance with 11 U.S.C. §§ 327, 329 and 504(b)(1) and Rules 2014 and 2016(b) of the Federal Rules of Bankruptcy Procedures, a certificate executed by Gilberto Mayo Pagán Law Office is jointly filed with this application.

WHEREFORE, it is respectfully requested from this Honorable Court that an order be entered authorizing the appointment of attorney Gilberto Mayo-Pagán, Law Office, to represent Debtor, in the instance case, under the terms and conditions listed above.

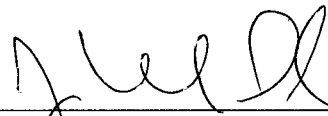
RESPECTFULLY SUBMITTED.

CERTIFICATE OF ELECTRONIC FILING AND SERVICE

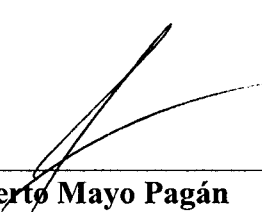
I hereby certify that on this date a true and correct copy of the present has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notices of such filing to debtor's attorney, to the appointed US Chapter 11 Trustee, and electronically reported creditors. In addition, I also certify that copy of the same has been mailed by US Postal Service to none CM/ECF participants at their address of record in the case, per filed Master Address List.

In San Juan, Puerto Rico, this 13th day of May, 2011.

DEBTOR:



José Manuel Pérez Córdova
President
P. O. Box 191316
San Juan, P. R. 00919-1316



Gilberto Mayo Pagán
Attorney for Debtor
USDC-PR 119104
P.O. Box 13802
San Juan, P. R. 00908-3802
Tel. & Fax (787) 751-9543
E-Mail: mayopagang@microjuris.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CASE NO.

CAFE AMERICA, INC.
D/B/A AMERICAN DELI & GRILL
A/K/A AMERICAN DELI

CHAPTER 11

Debtor

CERTIFICATE OF PROPOSED ATTORNEY FOR DEBTOR

I, **GILBERTO MAYO PAGAN**, do hereby certify under penalty of perjury that to the best of my knowledge, information and belief, the following is true and correct:

1. I am an attorney and counselor-at-law, fully admitted to practice before the Courts of the Commonwealth of Puerto Rico, State of Florida, the United States District Court for the District of Puerto Rico, and United States Court of Appeals for the First Circuit.

2. My law firm maintains an office at The Hato Rey Center Building, Suite 1011, 268 Ponce de León Avenue, San Juan, Puerto Rico 00918; with mailing address at P. O. Box 13802, San Juan, Puerto Rico 00908-3802; Telephone and Fax number (787) 751-9543.

3. As of March 2011 Gilberto Mayo Pagán Law Office has agreed to represent Debtor in this proceeding, as more particularly set forth in paragraph 4 of Debtor's application for appointment of attorney, subject to the approval of this Court.

4. To the best of my knowledge, the subscriber's law office is a desinterested person, as defined in 11 U.S.C. § 101(14), since:

a. I am not a Debtor's creditor, equity security holder or insider.

b. I am not and/or was not, within two years before the date of the filing of the petition, an employee of the Debtor.

c. To the best of my knowledge, Gilberto Mayo Pagán's Law Office has no prior connections with the Debtor, any creditor, or other party in interest, their respective attorneys and accountants, the United States Trustee or any person employed in the Office of the United States Trustee.

d. I have no interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, and/or the Debtor, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtor.

5. The source of the compensation promised to the subscriber's law firm shall be from Debtor's operations and from such funds as may be available to Debtor from third parties and to which Debtor may be legally entitled.

6. Debtor has retained Gilberto Mayo-Pagán, as its attorney in this proceeding, subject to the approval of this Court in accordance to Rule 2014 of the Federal Rules of Bankruptcy Procedure, on a total sum of \$5,000.00, plus expenses. Attorney

Mayo-Pagán was paid in advanced a fixed sum of \$1,500.00 on April 4, 2011, to be credited against the total sum previously referred. The remaining balance to be paid pursuant to 11 USC 328 - 330(a), based on submitted periodic approved and authorized requests at the rate of \$125.00 dollars an hour.

7. There are no agreements on the part of Gilberto Mayo Pagán's Law Office for the sharing of any of the compensation or reimbursement received or to be received under 11 U.S.C. §§ 330(a) and 503(b)(2), or otherwise in connection with this case, nor will it share in any such compensation or reimbursement received by another person under such sections.

8. I will amend this statement immediately upon my learning that:

a. any of the representations made herein are incorrect, or

b. there is any change of circumstances relating thereto.

9. I have reviewed the provisions of LBR 2016-1.

In San Juan, Puerto Rico, this 13th day of May, 2011.

/s/ **Gilberto Mayo Pagán**
USDC-PR 119104
P. O. Box 13802
San Juan, P. R. 00908-3802
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E-Mail: mayopagan@microjuris.com