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Case:12-08463-BKT11 Doc#:1 Filed:10/24/12 Entered:10/24/12 13:20:56 Desc: Main B1 (Official Form 1) (12/11) Document Page 1 of 9

United Sta Distr					luntary Petition			
Name of Debtor (if individual, enter Last, First, Mid TMC MANAGEMENT GROUP, INC	dle):		Name of Joint Debtor (Spouse) (Last, First, Middle):					
All Other Names used by the Debtor in the last 8 year (include married, maiden, and trade names): dba Taco Maker Encantada fdba Taco Maker Penuelas fdba Max Deli Convenience Store	urs			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 (if more than one, state all): 66-0665914	I.D. (ITIN) /Com	plete EIN	Last four d				axpayer I.	.D. (ITIN) /Complete EIN
Street Address of Debtor (No. & Street, City, State & URB. CARIBE # 1594 CALLE CABALIE			Street Add	ress of Jo	oint Deb	tor (No. & Stree	et, City, St	tate & Zip Code):
RIO PIEDRAS, PR	ZIPCODE 009	927						ZIPCODE
County of Residence or of the Principal Place of Bus San Juan	siness:		County of	Residence	e or of the	he Principal Pla	ce of Busi	iness:
Mailing Address of Debtor (if different from street a	ddress)		Mailing A	ddress of	Joint De	ebtor (if differen	t from str	reet address):
	ZIPCODE							ZIPCODE
Location of Principal Assets of Business Debtor (if o		eet address a	above):					
PLAZA ENCANTADA #3, TRUJILLO AL	ΓO, PR				_			ZIPCODE 00976
Type of Debtor (Form of Organization) (Check one box.)  Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.)  Chapter 15 Debtor Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:  Filing Fee (Check one box)  Filing Fee to be paid in installments (Applicable to only). Must attach signed application for the court consideration certifying that the debtor is unable to except in installments. Rule 1006(b). See Official  Filing Fee waiver requested (Applicable to chapte only). Must attach signed application for the court consideration. See Official Form 3B.	Single As U.S.C. § Railroad Stockbrok Commodi Clearing I Other  Debtor is Title 26 o Internal R  o individuals o pay fee Form 3A.	Tax-Exem Check box, if a tax-exemple f the United evenue Cod  Check on Debtor Debtor's than \$2,	pt Entity f applicable.) ot organization States Code (tile). e box: is a small busin is not a small busin is not a small busin applicable box is being filed w	under he ness debte outsiness d subject to tes:	Chaper as deflector as quidated adjustmeetition	the Petition the Petition that the Petition that the petition that the petition that the petition and the pe	n is Filed  Cha Rec Ma Cha Rec Non  Nature of (Check on y consum 1 U.S.C. red by an y for a r house-  C. § 101(: J.S.C. § 1	ne box.)  per  Debts are primarily business debts.
Statistical/Administrative Information  Debtor estimates that funds will be available for	distribution to un	accorda	ance with 11 U.					THIS SPACE IS FOR COURT USE ONLY
Debtor estimates that, after any exempt property distribution to unsecured creditors.	is excluded and a	administrati	ve expenses pa	id, there v	will be n	o funds availabl	e for	
Estimated Number of Creditors  1-49 50-99 100-199 200-999 1,00 5,00		l- <u>1</u>	0,001- 25,000	25,001- 50,000		50,001- 100,000	Over 100,000	
		000,001 \$	550,000,001 to 100 million	\$100,00 to \$500		\$500,000,001 to \$1 billion	More that	
Estimated Liabilities			550,000,001 to	\$100,00 to \$500		\$500,000,001 to \$1 billion	More tha	

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31 (Official Form 1) (12/11)  Voluntary Potition	Page 2 of 9 Name of Debtor(s):		
Voluntary Petition (This page must be completed and filed in every case)	TMC MANAGEMENT	GROUP, INC	
All Prior Bankruptcy Case Filed Within Last	t 8 Years (If more than tw	o, 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 shee	
Name of Debtor: None	Case Number:	Date Filed:	
District:	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.)  Exhibit A is attached and made a part of this petition.	whose debts are primarily consumer debts.)  I, the attorney for the petitioner named in the foregoing petition, do that I have informed the petitioner that [he or she] may proceed chapter 7, 11, 12, or 13 of title 11, United States Code, and explained the relief available under each such chapter. I further c that I delivered to the debtor the notice required by 11 U.S.C. § 34		
	Signature of Attorney for D	ebtor(s)	
Yes, and Exhibit C is attached and made a part of this petition.  No  Exhi  (To be completed by every individual debtor. If a joint petition is filed, ea  Exhibit D completed and signed by the debtor is attached and ma  If this is a joint petition:	ach spouse must complete a de a part of this petition.		
Exhibit D also completed and signed by the joint debtor is attached	ed a made a part of tins per	Ition.	
Information Regardin  (Check any ap  Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180  ☐ There is a bankruptcy case concerning debtor's affiliate, general principal place of the preceding the date of this petition or for a longer part of such 180	oplicable box.) of business, or principal asso days than in any other Dis	trict.	
☐ Debtor is a debtor in a foreign proceeding and has its principal place or has no principal place of business or assets in the United States in this District, or the interests of the parties will be served in region.	out is a defendant in an actio	on or proceeding [in a federal or state court	
Certification by a Debtor Who Reside (Check all app  Landlord has a judgment against the debtor for possession of deb	licable boxes.)		
(Name of landlord that	at obtained judgment)		
(Address o	f landlord)		
Debtor claims that under applicable nonbankruptcy law, there are the entire monetary default that gave rise to the judgment for possible.	circumstances under whic		
3 · · · · · · · · · · · · · · · · · · ·		•	
Debtor has included in this petition the deposit with the court of a filing of the petition.		•	

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B1 (Official Form 1) (12/11)		Document Pa	age 3 of 9	

**Voluntary Petition** 

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

Name of Debtor(s):

TMC MANAGEMENT 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 States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

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

Signature of De	btor		
Signature of Jo	int Debtor		

# 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.

ntive		
2	ative	ative

# Signature of Attorney\*

# X /s/ TERESA M. LUBE CAPO

Signature of Attorney for Debtor(s)

TERESA M. LUBE CAPO USDC 122205 Lube & Soto Law Offices, P.S.C. 1130 AVE FD ROOSEVELT SAN JUAN, PR 00920-2906 (787) 722-0909 Fax: (787) 977-1709 lubeysoto@gmail.com

# October 24, 2012

Date

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

# Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

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

Χ	/s/ Luis G. Benabe Negrón
	Signature of Authorized Individual
	Luis G. Benabe Negrón
	Printed Name of Authorized Individual
	President

Title of Authorized Individual
October 24, 2012

Date

# **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); 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		

<				
	Signature			

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.

# TMC MANAGMENT GROUP

# **Corporate Resolution**

I. Yajaira Flores Arzuaga ,Secretary of the Board of Directors of TMC MANAGEMENT GROUP INC, a duly organized Corporation under the laws of the Commonwealth of Puerto Rico, with offices in San Juan, Puerto Rico, do hereby certify that in meeting of the Board of directors in which there was a valid quorum, celebrated on the 12<sup>th</sup> day of October 2012, which was properly annotated on the corporate records, and that it was not declared null or void, the following determination was approved:

"To authorize Mr.Luis Benabe Negron, president of TMC MANAGEMENT GROUP INC, to represent the Corporation in all matters related to and not limited to Solicit and contract the services Teresa M.Lube Capo, attorney of Lube &Soto Law Offices, P.S.C "whit offices located at 1130 F.D.Roosevelt Avenue, San Juan, Puerto Rico 00920-2906. In order to file a bankruptcy petition under Chapter 11 of the Bankruptcy Code on behalf of the corporation"

I, Yajaira Flores Arzuaga, Secretary of the Board of Directors of TMC MANAGEMENT GROUP INC. Certify that this is a true transcription of the resolution approved by the Board of Directors of the corporation, and it has not been changed or revoked .In testimony of which I certify by placing my signature and the Corporate Seal today 22<sup>th</sup> of October, 2012, in San Juan, Puerto Rico.

YAJAIRA FLORÉS ARZUAGA

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# Case:12-08463-BKT11 Doc#:1 Filed:10/24/12 Entered:10/24/12 13:20:56 Desc: Main Document Page 5 of 9 United States Bankruptcy Court

**District of Puerto Rico** 

IN RE: TMC MANAGEMENT GROUP, INC		Case No		
		Chapter 11		
	De	or(s)		
	DISCLOSURE (	F COMPENSATION OF ATTORNEY FOR DEBTOR		
1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compens 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 debt of or in connection with the bankruptcy case is as follows:				
	For legal services, I have agreed to accept	\$ <u>225.00/hr</u>		
	Prior to the filing of this statement I have received	\$\$_6,325.00		
	Balance Due	\$		
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 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	render legal service for all aspects of the bankruptcy case, including:		
	b. Preparation and filing of any petition, schedule	endering advice to the debtor in determining whether to file a petition in bankruptcy; statement of affairs and plan which may be required; editors and confirmation hearing, and any adjourned hearings thereof; dings and other contested bankruptcy matters;		
	By agreement with the debtor(s), the above disclose Adversary proceedings require a new			
τ.	outify that the foreacting is a convenient of	CERTIFICATION		
	ertify that the foregoing is a complete statement of a occeding.	y agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy		
	October 24, 2012	/s/ TERESA M. LUBE CAPO		
_	Date	TERESA M. LUBE CAPO USDC 122205		

Lube & Soto Law Offices, P.S.C. 1130 AVE FD ROOSEVELT SAN JUAN, PR 00920-2906 (787) 722-0909 Fax: (787) 977-1709 lubeysoto@gmail.com

# B4 (Official First 12,108) 463-BKT11 Doc#:1 Filed:10/24/12 Entered:10/24/12 13:20:56 Desc: Main

# Document Page 6 of 9 United States Bankruptcy Court District of Puerto Rico

IN RE:	Case No
TMC MANAGEMENT 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) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
INTERNAL REVENUE SERVICE Centralized Insolvency Operations PO BOX 7346 PHILADELPHIA, PA 19101-7346	INTERNAL REVENUE SERVICE CITY VIEW PLAZA II 48 CARR 165 STE 2000 GUAYNABO, PR 00968-8000	Taxes		149,506.06
Plaza Encantada, Inc. Urb. Collegeville C Aberdeen 2004 Guaynabo, PR 00969-4725	(787) 720-6000			46,527.01
Municipio de Trujillo Alto Oficina De Finanzas Y Presupuesto PO Box 1869 Trujillo Alto, PR 00977	(787) 761-0172	Taxes		19,920.26
Frans Global, Inc (Taco Maker Corp.) PO BOX 36288 SAN JUAN, PR 00936		Supplier		10,599.48
Municipio de Trujillo Alto Oficina De Finanzas Y Presupuesto PO Box 1869 Trujillo Alto, PR 00977	(787) 761-0172	Taxes		8,051.13
Holsum De Puerto Rico Call Box 8282 Toa Baja, PR 00951	Sr. Caraballo Rivera (787) 798-8282	Advances		5,451.97
C.R.I.M. CARMEN P. FIGUEROA, ESQ PO BOX 195387 SAN JUAN, PR 00919-5387				4,094.69
State Insurance Fund Corp PO Box 365028 San Juan, PR 00936-5028	Alejando Suarez Cabrera, Esq. (787) 793-5959	Employer's Insurance		2,703.52
Jose Santiago Inc. P.O. Box 191795 San Juan, PR 00919-1795	(787) 288-8835	Supplier		2,428.01
Mendez & Co P.O. Box 363348 San Juan, PR 00936-3348	(787) 793-8888			2,366.23
Praxair Puerto Rico P.O. Box 307 Guarabo, PR 00778	Laura Melendez (787) 258-7200 x7263	Trade debt		1,361.24
Active Salesmen Company Sabana Llana Industrial Park 5laa Brisa Street San Juan, PR 00924	(787) 751-6020	Advances		1,240.98

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Puerto Rico Dept. of Labor **Depto De Contribuciones** P.O. Box 191020 SAN JUAN, PR 00919-1020

(787) 754-5818 x 3507

1,132.46

**Supplier** 863.80

**Empresas De Gas** 

**PO BOX 1025** SABANA SECA, PR 00952

**BANCO POPULAR DE PUERTO RICO** 

0.00 C/O MIGDALIA EFFIE GUASP, ESQ.

PO BOX 362708

SAN JUAN, PR 00936-2708

# 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: October 24, 2012 Signature: /s/ Luis G. Benabe Negrón

Luis G. Benabe Negrón, President

(Print Name and Title)

# Case:12-08463-BKT11 Doc#:1 Filed:10/24/12 Entered:10/24/12 13:20:56 Desc: Main Document Page 8 of 9 United States Bankruptcy Court District of Puerto Rico

IN KE:		Case No.	
TMC MANAGEMENT GROUP, INC		Chapter 11	
	Debtor(s)	•	
	VERIFICATION OF CREDITOR MATR	IX	
The above named debtor(s) hereby vo	erify(ies) that the attached matrix listing creditor	s is true to the best of my(our) knowledge.	
Date: October 24, 2012	Signature: /s/ Luis G. Benabe Negrón		
	Luis G. Benabe Negrón, President	Debtor	
Date:	Signature:		
<u> </u>		Joint Debtor, if any	

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TMC MANAGEMENT GROUP INC **URB CARIBE #1594 CALLE CABALIERI RIO PIEDRAS PR 00927** 

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ILCA COLLECTION AGENCY INC PO BOX 362211 SAN JUAN PR 00936-2211

**PUERTO RICO DEPT OF LABOR DEPTO DE CONTRIBUCIONES** PO BOX 191020 SAN JUAN PR 00919-1020

**LUBE & SOTO LAW OFFICES** PSC 1130 AVE FD ROOSEVELT SAN JUAN PR 00920-2906

INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY OPERATIONS 619 AVE LA CEIBA PO BOX 7346 PHILADELPHIA PA 19101-7346

**ROVIRA FOODS URB BUENA VISTA** PONCE PR 00717-1901

**ACTIVE SALESMEN COMPANY** SABANA LLANA INDUSTRIAL PARK **5LAA BRISA STREET** SAN JUAN PR 00924

INTERNAL REVENUE SERVICE **CITY VIEW PLAZA II** 48 CARR 165 STE 2000 **GUAYNABO PR 00968-8000** 

STATE INSURANCE FUND CORP PO BOX 365028 SAN JUAN PR 00936-5028

**AUTORIDAD DE ENERGIA ELECTRICA** BANKRUPTCY OFFICE- MARIA GORBEA PO BOX 364267 SAN JUAN PR 00936-4267

JOSE SANTIAGO INC PO BOX 191795 SAN JUAN PR 00919-1795

**BANCO POPULAR DE PUERTO RICO** C/O MIGDALIA EFFIE GUASP ESQ PO BOX 362708 SAN JUAN PR 00936-2708

**MARQUES-GUILLERMETY & CO CERTIFIED PUBLIC ACCOUNTANTS** PO BOX 5873 SAN JUAN PR 00914-6873

**CRIM CARMEN P FIGUEROA ESQ** PO BOX 195387 SAN JUAN PR 00919-5387

**MENDEZ & CO** PO BOX 363348 SAN JUAN PR 00936-3348

**DEPARTMENT OF THE TREASURY BANKRUPTCY SECTION STE 1504** 235 AVE ARTERIAL HOSTOS SAN JUAN PR 00918-1454

**MUNICIPIO DE TRUJILLO ALTO** OFICINA DE FINANZAS Y PRESUPUESTO **PO BOX 1869** TRUJILLO ALTO PR 00977

**EMPRESAS DE GAS PO BOX 1025** SABANA SECA PR 00952 PR DEPARTMENT OF JUSTICE FEDERAL LITIGATION-BANKRUPTCY PO BOX 9020192 SAN JUAN PR 00902-0192

FRANS GLOBAL INC (TACO MAKER CORP) PO BOX 36288 SAN JUAN PR 00936

**PLAZA ENCANTADA INC URB COLLEGEVILLE** C ABERDEEN 2004 **GUAYNABO PR 00969-4725** 

**HOLSUM DE PUERTO RICO CALL BOX 8282** TOA BAJA PR 00951

PRAXAIR PUERTO RICO **PO BOX 307 GUARABO PR 00778**