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B1 (Official)	Form 1)(4/	10)				04111011		90 . 0.					
			United D		s Bank of South						Vol	luntary	Petition
Name of Debtor (if individual, enter Last, First, Middle):  City Loft Hotel, LLC				Name	of Joint Do	ebtor (Spouse	e) (Last, First	, Middle):					
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):					All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):								
Last four dig (if more than one		Sec. or Indi	vidual-Tax <sub>I</sub>	oayer I.D. (	(ITIN) No./	Complete E	Last f	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)					
Street Addre 301 Car Beaufor	teret Stre	`	Street, City,	and State)	):	7ID C- 1-		Address of	Joint Debtor	(No. and St	reet, City, a	and State):	ZID C I.
					Г	ZIP Code <b>29902</b>	<del>;</del>						ZIP Code
County of R Beaufor		of the Prin	cipal Place	of Busines		29902	Count	y of Reside	ence or of the	Principal Pl	ace of Busi	ness:	l
Mailing Add	dress of Deb	otor (if diffe	erent from st	reet addres	ss):		Mailii	ng Address	of Joint Debt	tor (if differe	nt from stre	eet address):	
					Г	ZIP Code	<u>:</u>						ZIP Code
Location of (if different				r	•		•						
	Type of	f Debtor			Nature	of Business	8		Chapter	of Bankrui	otcy Code	Under Whic	h
	(Form of O	rganization)			(Check	one box)			•	Petition is F			
See Exhi	(Check one box)  ☐ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP)		☐ Sing in 1 ☐ Rail ☐ Stoo	<ul> <li>☐ Health Care Business</li> <li>☐ Single Asset Real Estate as def in 11 U.S.C. § 101 (51B)</li> <li>☐ Railroad</li> <li>☐ Stockbroker</li> <li>☐ Commodity Broker</li> <li>☐ Clearing Bank</li> </ul>			☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 9 er 11 er 12	of □ C	f a Foreign hapter 15 P	Petition for Re Main Procee Petition for Re Nonmain Pro	ding ecognition	
Other (If	debtor is not	one of the a	bove entities,	Oth						Natur	e of Debts		
Other (If debtor is not one of the above entities, check this box and state type of entity below.)			☐ Deb	Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organiz under Title 26 of the United State Code (the Internal Revenue Co		le) ganization ed States	defined "incurr	are primarily condimated in 11 U.S.C. § are down an indivioual, family, or	(Checonsumer debts, \$101(8) as idual primarily	k one box) , , for		are primarily ess debts.	
	Fil	ling Fee (C	heck one bo	x)		Check	one box:		Chap	ter 11 Debt	ors		
debtor is	e to be paid in ned application	n installments on for the cou	s (applicable t urt's considera n installments	tion certifyi	ing that the	Check	Debtor is not if: Debtor's agg	a small busi		defined in 11 tages	U.S.C. § 1016	(51D).	ers or affiliates)
Form 3A.    Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.    Acceptable 1.				all applicabl A plan is bei Acceptances	e boxes: ng filed with of the plan w	this petition. were solicited process. S.C. § 1126(b).	repetition fron		-	· · · · · · · · · · · · · · · · · · ·			
Statistical/A  ■ Debtor e  □ Debtor e there wil	estimates that estimates that	nt funds wil nt, after any	l be availabl	perty is ex	cluded and	administrat		es paid,		THIS	S SPACE IS	FOR COURT I	JSE ONLY
Estimated N  1- 49	umber of C 50- 99	reditors  100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated A  So to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					
Estimated L	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					

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B1 (Official Form 1)(4/10) Page 2 Name of Debtor(s): Voluntary Petition City Loft Hotel, LLC (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Date Filed: Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., 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, forms 10K and 10Q) with the Securities and Exchange Commission 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. 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? 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. П 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)).

B1 (Official Form 1)(4/10)

Document Page 3 of 10

## **Voluntary Petition**

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

### 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 /s/ Robert G. Sable

Signature of Attorney for Debtor(s)

#### Robert G. Sable

Printed Name of Attorney for Debtor(s)

## Law Office of Michael W. Mogil, P.A.

Firm Name

2 Corpus Christie Place, Suite 303 Hilton Head Island, SC 29928

Address

Email: mmogil@mogillaw.com

(843) 785-8110 Fax: (843) 785-9676

Telephone Number

#### September 30, 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 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/ Matthew S. McAlhaney

Signature of Authorized Individual

#### Matthew S. McAlhaney

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

#### **September 30, 2011**

Date

Name of Debtor(s):

City Loft Hotel, LLC

#### Signatures

#### Signature of a Foreign Representative

Page 3

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 bankrutpcy 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.)

 $\mathbf{X}$ 

Date

Address

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.

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**B4** (Official Form 4) (12/07)

# **United States Bankruptcy Court District of South Carolina**

In re	City Loft Hotel, LLC			
		Debtor(s)	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)
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]
Bank of the Ozarks 17901 Chenal Parkway Little Rock, AR 72223-8811	Bank of the Ozarks 17901 Chenal Parkway Little Rock, AR 72223-8811	301 Carteret Street Beaufort, SC		4,195,046.60 (2,500,000.00 secured)
John Hunter, TBM, LLC and H. Richard Hiller, Jr. 2660 Peachtree Rd, NW Atlanta, GA 30305	John Hunter, TBM, LLC and H. Richard Hiller, Jr. 2660 Peachtree Rd, NW Atlanta, GA 30305	301 Carteret Street Beaufort, SC		500,000.00
Hank, Inc 222 Lytle Street Greer, SC 29650	Hank, Inc 222 Lytle Street Greer, SC 29650	301 Carteret Street Beaufort, SC		420,564.80
Lewis H. Wright, Ron Lewis, Permider Bindra, John Hunter, Thomas Dannemiller and Richard Hiller, Jr, 418 Broad River Drive Beaufort, SC 29906	Lewis H. Wright, Ron Lewis, Permider Bindra, John Hunter, Thomas Dannemiller and Richard Hiller, Jr, Beaufort, SC 29906	301 Carteret Street Beaufort, SC		250,000.00
Matthew S. McAlhaney 502 Craven Street Beaufort, SC 29902	Matthew S. McAlhaney 502 Craven Street Beaufort, SC 29902	Money loaned		100,000.00
Fripp Consulting, LLC 290 Vanilla Lane Ellijay, GA 30536	Fripp Consulting, LLC 290 Vanilla Lane Ellijay, GA 30536	Money loaned		60,250.00
Thomas Caskey 6402 Velmont Street Houston, TX 77005	Thomas Caskey 6402 Velmont Street Houston, TX 77005	Money loaned		21,000.00
Lewis Wright 418 Broad River Road Beaufort, SC 29906	Lewis Wright 418 Broad River Road Beaufort, SC 29906	Money loaned		13,805.40
Nexsen Pruet P.O. Box 23526	Nexsen Pruet P.O. Box 23526 Hilton Head Island, SC 29925	Trade debt		11,800.79

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	City Loft Hotel, LLC	Case No.	
	Debtor(s)	·	

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(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]
Ann Bulock	Ann Bulock	Money loaned		7,707.89
142 E Elliot Street Beaufort, SC 29902	142 E Elliot Street Beaufort, SC 29902			
Shannon Lindsay	Shannon Lindsay	Money loaned		7,204.46
28 Sheffield Avenue	28 Sheffield Avenue	Worley loaned		7,204.40
Beaufort, SC 29902	Beaufort, SC 29902			
Bonnie Krstolic	Bonnie Krstolic	Money loaned		6,358.67
7 Newpoint Road	7 Newpoint Road			0,000.07
Ladys Island, SC 29907	Ladys Island, SC 29907			
Barbara Mcdermant	Barbara Mcdermant	Money loaned		5,487.60
1975 Spanish Point Drive	1975 Spanish Point Drive			,
Beaufort, SC 29902	Beaufort, SC 29902			
Ron Lewis	Ron Lewis	Money loaned		5,475.90
4 South Point Trail	4 South Point Trail			
Ladys Island, SC 29907	Ladys Island, SC 29907			
Gale Seashore	Gale Seashore	Money loaned		5,337.64
1013 Ninth Street	1013 Ninth Street			
Port Royal, SC 29935	Port Royal, SC 29935			
TBM, LLC	TBM, LLC	Money loaned		5,135.92
c/o Thomas Dannemiller	c/o Thomas Dannemiller			
13645 Freemanville Road	13645 Freemanville Road			
Alpharetta, GA 30004	Alpharetta, GA 30004			
John Hunter	John Hunter	Money loaned		5,135.92
2660 Peachtree Road NW	2660 Peachtree Road NW			
Atlanta, GA 30305	Atlanta, GA 30305			
Dale Friedman	Dale Friedman	Money loaned		3,546.34
503 Craven Street	503 Craven Street			
Beaufort, SC 29902	Beaufort, SC 29902			0.004.40
Michael McAlhaney	Michael McAlhaney	Money loaned		3,061.18
525 East 11th Street, Ste 54C	525 East 11th Street, Ste 54C			
New York, NY 10009	New York, NY 10009	Managari		0.004.40
Sean Allen	Sean Allen	Money loaned		3,061.18
525 East 11th street, Ste 5C	525 East 11th street, Ste 5C			
New York, NY 10009	New York, NY 10009			

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B4 (Offi	cial Form 4) (12/07) - Cont.			
In re	City Loft Hotel, LLC		Case No.	
		Debtor(s)	·	

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

I, the President 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	09/30/2011	Signature	/s/ Matthew S. McAlhaney	
•	<u> </u>	_	Matthew S. McAlhaney	
			President	

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.

## LOCAL OFFICIAL FORM 1007-1(b) TO SC LBR 1007-1

# **United States Bankruptcy Court District of South Carolina**

In re City Loft Hotel, LLC		Case No.	
	Debtor(s)	Chapter	11
CERTIFIC.	ATION VERIFYING CREDIT	TOR MATRIX	ζ
The above named debtor, or attorn Bankruptcy Rule 1007-1 that the master ma CM/ECF, or conventionally filed in a type information to, the debtor's schedules, stateme	d hard copy scannable format which	er on computer d n has been compa	iskette, electronically filed via ared to, and contains identical
Master mailing list of creditors submi	itted via:		
(a) computer dist	kette		
(b) scannable har (number of sheets submitted			
(c) X electronic version	on filed via CM/ECF		
Date: September 30, 2011	/s/ Matthew S. McAlhaney		
	Matthew S. McAlhaney/Pres Signer/Title	ident	
Date: September 30, 2011	/s/ Robert G. Sable		
	Signature of Attorney Robert G. Sable		
	Law Office of Michael W. Mo	gil, P.A.	

2 Corpus Christie Place, Suite 303 Hilton Head Island, SC 29928 (843) 785-8110 Fax: (843) 785-9676 Typed/Printed Name/Address/Telephone

District Court I.D. Number

ANN BULOCK 142 E ELLIOT STREET BEAUFORT SC 29902

BANK OF THE OZARKS 17901 CHENAL PARKWAY LITTLE ROCK AR 72223-8811

BARBARA MCDERMANT 1975 SPANISH POINT DRIVE BEAUFORT SC 29902

BEAUFORT COUNTY TREASURER P.O. DRAWER 487
BEAUFORT SC 29901

BONNIE KRSTOLIC 7 NEWPOINT ROAD LADYS ISLAND SC 29907

BRENDA PEARCE 1706 RIVERSIDE DRIVE BEAUFORT SC 29902

CASSY DENTON
P.O. BOX 850
BEAUFORT SC 29901

DALE FRIEDMAN 503 CRAVEN STREET BEAUFORT SC 29902

FINGER AND FRASER
MICHAEL CERRATI
P.O. BOX 24005
HILTON HEAD ISLAND SC 29925-4005

FRIPP CONSULTING, LLC 290 VANILLA LANE ELLIJAY GA 30536

GALE SEASHORE 1013 NINTH STREET PORT ROYAL SC 29935 H. RICHARD HILLER, JR 85 CLIFFCREEK TRACE ATLANTA GA 30305

H. RICHARD HILLER, JR. 85 CLIFFCREEK TRACE ATLANTA GA 30305

HANK, INC 222 LYTLE STREET GREER SC 29650

INTERNAL REVENUE SERVICE P.O. BOX 7346 PHILADELPHIA PA 19101-7346

JOHN HUNTER 2660 PEACHTREE ROAD NW ATLANTA GA 30305

JOHN HUNTER, TBM, LLC AND H. RICHARD HILLER, JR. 2660 PEACHTREE RD, NW ATLANTA GA 30305

LEWIS WRIGHT 418 BROAD RIVER ROAD BEAUFORT SC 29906

MATTHEW S. MCALHANEY 502 CRAVEN STREET BEAUFORT SC 29902

MICHAEL MCALHANEY 525 EAST 11TH STREET, STE 54C NEW YORK NY 10009

NEXSEN PRUET
P.O. BOX 23526
HILTON HEAD ISLAND SC 29925

PERMIDER BINDRA 1 FAIRWAY CLUB DRIVE SAINT HELENA ISLAND SC 29920 RICHARD HILLER, JR 85 CLIFFCREEK TRACE ATLANTA GA 30305

RON LEWIS
4 SOUTH POINT TRAIL
LADYS ISLAND SC 29907

RON LEWIS 4 SOUTH POINT TRAIL BEAUFORT SC 29907

SEAN ALLEN 525 EAST 11TH STREET, STE 5C NEW YORK NY 10009

SHANNON LINDSAY 28 SHEFFIELD AVENUE BEAUFORT SC 29902

SOUTH CAROLINA DEPARTMENT OF REVENUE P.O. BOX 125 COLUMBIA SC 29214-0101

TBM, LLC C/O THOMAS DANNEMILLER 13645 FREEMANVILLE ROAD ALPHARETTA GA 30004

THOMAS CASKEY 6402 VELMONT STREET HOUSTON TX 77005

TMB, LLC 13645 FREEMANVILLE ROAD ALPHARETTA GA 30004

WHITNEY REITZ DESIGN 2183 HIGHWAY 17N, SUITE 103 MOUNT PLEASANT SC 29466

WOODLANDS BANK
P.O. BOX 930
BLUFFTON SC 29910-0930