Case 13-01576-jw Doc 1 Filed 03/18/13 Entered 03/18/13 08:07:59 Desc Main 3/18/13 8:08AM Document Page 1 of 7

| B1 (Official Form 1)(12/11) | D(| Cument | 1 0 | ige i o | 1 / | | | |
|--|---|--|---|--|---|---|---|----------------------|
| | States Banks strict of South | | Court | | | | Voluntary | Petition |
| Name of Debtor (if individual, enter Last, First, Myrtle Beach Golf Entertainment, L | , | | Name | of Joint De | ebtor (Spouse) |) (Last, First, | , Middle): | |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): DBA Secreits Cabaret | | | | 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-Taxpa (if more than one, state all) 45-1188968 | yer I.D. (ITIN) No./ | Complete EIN | Last fo | our digits o | | Individual-7 | Гахрауег I.D. (ITIN) No | o./Complete EIN |
| Street Address of Debtor (No. and Street, City, a 9734 Kings Highway Myrtle Beach, SC | , | ZIP Code | Street | Street Address of Joint Debtor (No. and Street, City, and State): ZIP Code | | | | |
| County of Residence or of the Principal Place of Horry | | 29572 | Count | y of Reside | nce or of the | Principal Pla | ace of Business: | <u> </u> |
| Mailing Address of Debtor (if different from street 2852 20th Avenue North Saint Petersburg, FL | Γ | ZIP Code 33713 | | g Address | of Joint Debto | or (if differer | nt from street address): | ZIP Code |
| Location of Principal Assets of Business Debtor (if different from street address above): | | ings Highv ach, SC 29 | - | | | | | |
| 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 Debtors Country of debtor's center of main interests: | on) (Check one box) Joint Debtors) 2 of this form. s LLC and LLP) one of the above entities, etype of entity below.) Health Care Business Single Asset Real Estate as do in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank Other | | | Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) Chapter 7 Chapter 9 Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 12 Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) Debts are primarily consumer debts, | | | ecognition eding ecognition oceeding | |
| Each country in which a foreign proceeding by, regarding, or against debtor is pending: | Debtor is a tax-es under Title 26 of Code (the Interna | tempt organizati | es | defined in 11 U.S.C. § 101(8) as business debts. "incurred by an individual primarily for a personal, family, or household purpose." | | | | ess debts. |
| Filing Fee (Check one box Full Filing Fee attached Filing Fee to be paid in installments (applicable to attach signed application for the court's considerati debtor is unable to pay fee except in installments. Form 3A. Filing Fee waiver requested (applicable to chapter attach signed application for the court's considerati | individuals only). Mus on certifying that the Rule 1006(b). See Offic 7 individuals only). Mu | t Check if: cial Det are Check all BB. Acc | otor is a snotor is not otor's aggreless than S applicable lan is bein | egate nonco \$2,343,300 (as boxes: ag filed with of the plan w | debtor as defin ness debtor as d ntingent liquida amount subject this petition. | lefined in 11 U tted debts (exc to adjustment | | e years thereafter). |
| Statistical/Administrative Information ■ Debtor estimates that funds will be available □ Debtor estimates that, after any exempt prop there will be no funds available for distribution | erty is excluded and | administrative | | es paid, | | THIS | SPACE IS FOR COURT | USE ONLY |
| 1- 50- 100- 200- 49 99 199 999 | 1,000- 5,001- 5,000 10,000 | |] 5,001- 0,000 | 50,001- 100,000 | OVER 100,000 | | | |
| \$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1 million | \$1,000,001 \$10,000,001 to \$10 to \$50 million | to \$100 to |] 100,000,001 \$500 illion | \$500,000,001 to \$1 billion | | | | |
| \$0 to \$50,001 to \$100,001 to \$500,001 | \$1,000,001 \$10,000,001 to \$10 to \$50 | |] 100,000,001 \$500 | \$500,000,001 to \$1 billion | | | | |

Case 13-01576-jw Doc 1 Filed 03/18/13 Entered 03/18/13 08:07:59 Desc Main 3/18/13 8:08AM

Document Page 2 of 7 **B1** (Official Form 1)(12/11) Name of Debtor(s): Voluntary Petition Myrtle Beach Golf Entertainment, 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) Case Number: Location Date Filed: Where Filed: - None -Location Case Number: Date Filed: 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 forms 10K and 10Q) with the Securities and Exchange Commission 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 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. 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(1)).

B1 (Official Form 1)(12/11)

Voluntary Petition

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

Name of Debtor(s):

Myrtle Beach Golf Entertainment, LLC

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

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

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Felix B. Clayton

Signature of Attorney for Debtor(s)

Felix B. Clayton 167

Printed Name of Attorney for Debtor(s)

Felix B. Clayton

Firm Name

Post Office Box 1044 Coastal Law Beaufort, SC 29901

Address

Email: butch@butchclaytonlaw.com Fax: (843)379-9844

(843)379-9363 Fax: (843)379-9844

Telephone Number

March 18, 2013

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/ Dean G. Marshlack

Signature of Authorized Individual

Dean G. Marshlack

Printed Name of Authorized Individual

Managing Member

Title of Authorized Individual

March 18, 2013

Date

Signature of a Foreign Representative

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

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of 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.

Case 13-01576-jw Doc 1 Filed 03/18/13 Entered 03/18/13 08:07:59 Desc Main Document Page 4 of 7

B4 (Official Form 4) (12/07)

United States Bankruptcy Court District of South Carolina

| In re | Myrtle Beach Golf Entertainment, 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] |
| Komsam, LLC a South Carolina Limited Liability Co 2000 Coastal Grande Circle FC#4 Myrtle Beach, SC 29577 | Komsam, LLC a South Carolina Limited Liability Co 2000 Coastal Grande Circle Myrtle Beach, SC 29577 | Lease on property located at 9734 N. Kings Highway Myrtle Beach, SC 29572 | | 5,833.33 (0.00 secured) |
| SC Department of Revenue and Taxation Joseph Dusenbury, Esq. Post Office Box 12265 Columbia, SC 29211-2265 | SC Department of Revenue and Taxation Joseph Dusenbury, Esq. Post Office Box 12265 Columbia, SC 29211-2265 | notice and sales tax due | | 14,000.00 |
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3/18/13 8:09AM

Case 13-01576-jw Doc 1 Filed 03/18/13 Entered 03/18/13 08:07:59 Desc Main Document Page 5 of 7

| B4 (Offi | cial Form 4) (12/07) - Cont. | | |
|----------|--------------------------------------|----------|--|
| In re | Myrtle Beach Golf Entertainment, 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] |
| | | | | |
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DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

| Date | March 18, 2013 | Signature | /s/ Dean G. Marshlack |
|------|----------------|-----------|-----------------------|
| | | | Dean G. Marshlack |
| | | | Managing Member |

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

DANIEL J. MCDONALD RICE, MACDONALD AND HICKS, P.A. 950 48TH AVENUE NORTH MYRTLE BEACH SC 29577

HORRY COUNTY TREASURER POST OFFICE BOX 1828 CONWAY SC 29528

INTERNAL REVENUE SERVICE INSOLVENCY GROUP 6 MDP 39 1835 ASSEMBLY STREET COLUMBIA SC 29201-2430

JACK SECRETS, LLC 6607 N. OCEAN BOULEVARD MYRTLE BEACH SC 29572

KOMSAM, LLC A SOUTH CAROLINA LIMITED LIABILITY CO 2000 COASTAL GRANDE CIRCLE FC#4 MYRTLE BEACH SC 29577

MICHAEL J. BARNETT, ESQ 1000 21ST AVENUE N. MYRTLE BEACH SC 29577-7415

SC DEPARTMENT OF REVENUE AND TAXATION JOSEPH DUSENBURY, ESQ. POST OFFICE BOX 12265 COLUMBIA SC 29211-2265

TRENTON CHAMBERS, P.A. 5307 N. KINGS HIGHWAY MYRTLE BEACH SC 29577

Case 13-01576-jw Doc 1 Filed 03/18/13 Entered 03/18/13 08:07:59 Desc Main

Document Page 7 of 7

3/18/13 8:09AM

United States Bankruptcy Court District of South Carolina

| In re Myrtle Beach Golf Enter | tainment, LLC | | Case No. | |
|---|---|--|---|---|
| | | Debtor(s) | Chapter | 11 |
| CO | ORPORATE OWN | ERSHIP STATEMENT | Γ (RULE 7007.1) | |
| Pursuant to Federal Rule of Bar or recusal, the undersigned cou that the following is a (are) cor 10% or more of any class of the 7007.1: | nsel for Myrtle Bea poration(s), other tha | ch Golf Entertainment, LL an the debtor or a govern | .c in the above of mental unit, that of | captioned action, certifies directly or indirectly own(s) |
| ■ None [<i>Check if applicable</i>] | | | | |
| | | | | |
| March 18, 2013 | | elix B. Clayton k B. Clayton 167 | | |
| Date | | nature of Attorney or Liti | gant | |
| | | | igant Solf Entertainment | , LLC |
| | | k B. Clayton | | |
| | | t Office Box 1044 | | |
| | | stal Law ufort, SC 29901 | | |
| | |)379-9363 Fax:(843)379-98 | 844 | |

butch@butchclaytonlaw.com