Case 13-02125-jw Doc 1 Filed 04/09/13 Entered 04/09/13 08:51:21 Desc Main 4/09/13 8:51AM Document Page 1 of 7

B1 (Official Form 1)(12/11)				Cullicii		ige i e	, , , , , , , , , , , , , , , , , , ,			
·	United S Dis			ruptcy Carolin					Voluntary	Petition
Name of Debtor (if individual, en Myrtle Beach Golf Entert					Name	of Joint De	ebtor (Spouse	e) (Last, First,	Middle):	
All Other Names used by the Deb (include married, maiden, and trac DBA Secrets Cabaret	tor in the last 8 le names):	years						Joint Debtor in trade names)	n the last 8 years	
Last four digits of Soc. Sec. or Inc (if more than one, state all) 46-1188968	lividual-Taxpa	yer I.D. (l	ITIN) No./0	Complete El	IN Last for	our digits o	f Soc. Sec. or	r Individual-T	axpayer I.D. (ITIN) N	lo./Complete EIN
Street Address of Debtor (No. and 9734 Kings Highway Myrtle Beach, SC	Street, City, a	nd State):	:	ZIP Code	Street	Address of	Joint Debtor	(No. and Stre	eet, City, and State):	ZIP Code
				29572		45 11		D		
County of Residence or of the Prin	•					,		1	ce of Business:	
Mailing Address of Debtor (if diff 2852 20th Avenue North Saint Petersburg, FL	erent from stre	et address	s):		Mailir	g Address	of Joint Debt	tor (if differen	t from street address)	
Sami Petersburg, FL			_	ZIP Code						ZIP Code
Location of Principal Assets of Bu	odana Dahtan	07		<u>33713</u> lings Higl	) )					
(if different from street address ab				ach, SC 2	-					
Type of Debtor				of Business			•	•	tcy Code Under Whi	ch
(Form of Organization) (Check		│ │ □ Heal		one box)		│ │		Petition is Fil	ed (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.) ☐ Health Care Business ☐ Single Asset Real Estate as d in 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank			defined	Chapt Chapt Chapt Chapt Chapt Chapt	er 9 er 11 er 12	of : □ Ch	apter 15 Petition for I a Foreign Main Proce apter 15 Petition for I a Foreign Nonmain P	eding Recognition		
Chapter 15 Debtor	<u> </u>	Othe							of Debts	
Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:  Tax-Exempt Entity (Check box, if applicable)  Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code)			e) cation ates	defined "incurr	•	onsumer debts,	busii for	s are primarily ness debts.		
Filing Fee (d  Full Filing Fee attached  Filing Fee to be paid in installmen attach signed application for the codebtor is unable to pay fee except	ourt's consideration	individuals	ng that the	Check i	Debtor is not if: Debtor's aggr	a small busi	debtor as definess debtor as contingent liquid	ated debts (excl	2. § 101(51D). a.S.C. § 101(51D). buding debts owed to insi	
Form 3A.  Filing Fee waiver requested (appliattach signed application for the co	cable to chapter	7 individua	nls only). Mu	Check and A	all applicable A plan is bein Acceptances	e boxes: ng filed with of the plan w	this petition.	repetition from	on 4/01/13 and every thr	
Statistical/Administrative Inform				- I				THIS	SPACE IS FOR COURT	USE ONLY
☐ Debtor estimates that funds wi☐ Debtor estimates that, after any there will be no funds available.	exempt prope	erty is exc	cluded and	administrati		es paid,				
Estimated Number of Creditors								1		
1- 50- 100- 49 99 199	200-	] 1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Assets	5500,001 to \$1	] \$1,000,001 o \$10 nillion	\$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 Liabilities	\$500,001	\$1,000,001 o \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1 billion				

Filed 04/09/13 Entered 04/09/13 08:51:21 Desc Main 4/09/13 8:51AM Case 13-02125-jw Doc 1 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) Location Case Number: Date Filed: Where Filed: South Carolina 13-01576 3/18/13 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 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. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in П 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)

#### 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)).

(Address of landlord)

#### **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.

Signature of Debtor

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

Telephone Number

April 9, 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.

## √ /s/ Dean G. Marshlack

Signature of Authorized Individual

#### Dean G. Marshlack

Printed Name of Authorized Individual

## **Managing Member**

Title of Authorized Individual

April 9, 2013

#### 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.

Signature of Foreign Representative

Printed Name of Foreign Representative

### 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.)

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 13-02125-jw Doc 1 Filed 04/09/13 Entered 04/09/13 08:51:21 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

4/09/13 8:51AM

Case 13-02125-jw Doc 1 Filed 04/09/13 Entered 04/09/13 08:51:21 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]

## 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 April 9, 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

TARA E. NAUFUL HAYNESWORTH SINKLER BOYED, P.A. POST OFFICE BOX 11889 COLUMBIA SC 29211

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

Case 13-02125-jw Doc 1 

4/09/13	8:51AM	

# United States Bankruptcy Court District of South Carolina

In re Myrtle Beach Golf Entertain	ment, LLC	Case No.	
	Debtor(s)	Chapter 11	
CORF	PORATE OWNERSHIP STATEMENT	(RULE 7007.1)	
		(	
or recusal, the undersigned counsel that the following is a (are) corpora	aptcy Procedure 7007.1 and to enable the for Myrtle Beach Golf Entertainment, LL ation(s), other than the debtor or a government poration's(s') equity interests, or states the	<u>c</u> in the above captioned mental unit, that directly of	d action, certifies or indirectly own(s)
■ None [Check if applicable]			
April 9, 2013	/s/ Felix B. Clayton		
Date	Felix B. Clayton 167		
	Signature of Attorney or Liti		
		olf Entertainment, LLC	
	Felix B. Clayton Post Office Box 1044		
	Coastal Law		
	Beaufort, SC 29901		
	(843)379-9363 Fax:(843)379-98	344	
	butch@butchclaytonlaw.com		