Case 15-01477-dd Doc 1 Filed 03/17/15 Entered 03/17/15 12:32:10 Desc Main Document Page 1 of 10

B1 (Official Form 1)(04/13)	D0	cument	ıα	gc I oi	10			
	States Banks strict of South		Court				Voluntary	Petition
Name of Debtor (if individual, enter Last, First, KJ'z Wings & Ale, LLC	Middle):		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):					used by the J maiden, and		in the last 8 years	
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all)  27-3015045	yer I.D. (ITIN)/Com	plete EIN	Last for	our digits o	f Soc. Sec. or	Individual-T	Taxpayer I.D. (ITIN) No	o./Complete EIN
Street Address of Debtor (No. and Street, City, a 1631 JA Cochran Bypass, Suite F Chester, SC	_	ZIP Code	Street	Address of	FJoint Debtor	(No. and Str	eet, City, and State):	ZIP Code
County of Residence or of the Principal Place of Chester		29706	Count	y of Reside	ence or of the	Principal Pla	ace of Business:	<u>l</u>
Mailing Address of Debtor (if different from stre	eet address):		Mailir	g Address	of Joint Debto	or (if differer	nt from street address):	
	Г	ZIP Code	4					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):			_ <b>I</b>					
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:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:  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 considerating 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 considerating for the court's considerating the court's considerating for the court's consid	(Check   Health Care Bu   Single Asset Re in 11 U.S.C. §   Railroad   Stockbroker   Commodity Bro   Clearing Bank   Other   Tax-Exe (Check box   Debtor is a tax-ex under Title 26 of Code (the Internation)   Code (the Inte	mpt Entity  i, if applicable) chempt organizati the United State 1 Revenue Code  Check on  Del  Del  Check if: Check if: Check if: Del are Check all state A pare Check all A pare Check all Del A pare Check all A pare Check all Del A pare Check all	e box: e box: btor is a sr btor's aggi less than applicable applicable	defined "incurr a personall business a small business a s	er 7 er 9 er 11 er 12 er 13 er primarily co d in 11 U.S.C. § ed by an indivioual, family, or l  Chap debtor as defin ness debtor as d intingent liquida amount subject this petition.	Cetition is File Charles of Charles Charles Check Insumer debts, 101(8) as dual primarily household purter 11 Debtor and in 11 U.S.C. defined in 11 U.S.C. defined debts (exceto adjustment captured).	busine for pose."  OPTS  C. § 101(51D).  J.S.C. § 101(51D).  cluding debts owed to insid on 4/01/16 and every three	ecognition eding ecognition occeeding are primarily ess debts.  Hers or affiliates) the years thereafter).
1- 50- 100- 200- 49 99 199 999  Estimated Assets  □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □	erty is excluded and	administrative litors.   □	5,001- 0,000	50,001- 100,000		. 11113	SPACE IS FOR COURT	SSE GIVE I
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001 \$10,000,001 to \$10 to \$50		100,000,001 0 \$500	\$500,000,001 to \$1 billion				

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B1 (Official Form 1)(04/13) Page 2 Name of Debtor(s): Voluntary Petition KJ'z Wings & Ale, 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: Date Filed: Location Where Filed: - None -Date Filed: Location 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.) I, the attorney for the petitioner named in the foregoing petition, declare that I (To be completed if debtor is required to file periodic reports (e.g., 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 required by 11 U.S.C. §342(b). and is requesting relief under chapter 11.) ☐ 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 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. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

**B1** (Official Form 1)(04/13)

Page 3

Voluntary 1	Petition
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(This page must be completed and filed in every case)

Name of Debtor(s):

KJ'z Wings & Ale, 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.

 $\mathbf{X}_{\overline{a}}$ 

Signature of Debtor

X.

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

#### X /s/ Robert H. Cooper

Signature of Attorney for Debtor(s)

#### Robert H. Cooper #5670

Printed Name of Attorney for Debtor(s)

#### The Cooper Law Firm

Firm Name

150 Milestone Way, Ste. C Greenville., SC 29615

Address

## thecooperlawfirm@thecooperlawfirm.com 864-271-9911 Fax: 864-232-5236

Telephone Number

### March 17, 2015

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/ Danny D. Hyslop

Signature of Authorized Individual

#### Danny D. Hyslop

Printed Name of Authorized Individual

#### Owner

Title of Authorized Individual

#### March 17, 2015

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.)

v

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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## United States Bankruptcy Court District of South Carolina

In re	KJ'Z Wings & Ale, LLC		Case No.		
		Debtor(s)	Chapter	11	

#### STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Danny D. Hyslop, declare under penalty of perjury that I am the Owner of KJ'Z Wings & Ale, LLC, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 16th day of March, 2015.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Danny D. Hyslop, Owner of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Danny D. Hyslop, Owner of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Danny D. Hyslop, Owner of this Corporation is authorized and directed to employ Robert H. Cooper #5670, attorney and the law firm of The Cooper Law Firm to represent the corporation in such bankruptcy case."

Date Murch 14, 2015
Signed Isl Danny D. Hyslop
Danny D. Hyslop

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Resolution of Board of Directors of KJ'Z Wings & Ale, LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Danny D. Hyslop, Owner of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Danny D. Hyslop, Owner of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Danny D. Hyslop, Owner of this Corporation is authorized and directed to employ Robert H. Cooper #5670, attorney and the law firm of The Cooper Law Firm to represent the corporation in such bankruptcy case.

Signed Day Atyon

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## United States Bankruptcy Court District of South Carolina

In r	e _ KJ'z Wings & Ale, LLC		Case No.	
		Debtor(s)	Chapter	11
	DISCLOSURE OF COMPE	NSATION OF ATTORN	NEY FOR DE	EBTOR(S)
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 20 paid to me within one year before the filing of the petiti behalf of the debtor(s) in contemplation of or in connect	on in bankruptcy, or agreed to be p	paid to me, for serv	
	For legal services, I have agreed to accept		\$	15,000.00
	Prior to the filing of this statement I have received		\$	7,500.00
	Balance Due			7,500.00
2.	<b>1,717.00</b> of the filing fee has been paid.			
3.	The source of the compensation paid to me was:			
	■ Debtor □ Other (specify):			
4.	The source of compensation to be paid to me is:			
	■ Debtor □ Other (specify):			
5.	■ I have not agreed to share the above-disclosed comp	pensation with any other person un	nless they are mem	bers and associates of my law firm
	☐ I have agreed to share the above-disclosed compens copy of the agreement, together with a list of the na			
6.	In return for the above-disclosed fee, I have agreed to re	ender legal service for all aspects of	of the bankruptcy of	ease, including:
	<ul> <li>a. Analysis of the debtor's financial situation, and rend</li> <li>b. Preparation and filing of any petition, schedules, state.</li> <li>c. Representation of the debtor at the meeting of credited. [Other provisions as needed]</li> <li>Negotiations with secured creditors to motions pursuant to 11 USC 522(f)(2)(A</li> </ul>	tement of affairs and plan which mors and confirmation hearing, and reduce to market value; exem	nay be required; any adjourned hea nption planning;	rings thereof;
7.	By agreement with the debtor(s), the above-disclosed fe Representation of the debtors in any dis preparation and filing of reaffirmation a proceeding.	schargeability actions, judicia	al lien avoidanc	
		CERTIFICATION		
this	I certify that the foregoing is a complete statement of an bankruptcy proceeding.	ny agreement or arrangement for pa	ayment to me for r	epresentation of the debtor(s) in
Date	d: March 17, 2015	/s/ Robert H. Coope	er	
		Robert H. Cooper #		
		The Cooper Law Fi 150 Milestone Way,		
		Greenville,, SC 296	15	
		864-271-9911 Fax: thecooperlawfirm@		rm com
		mecoopenawiiiiii@	guiecooperiawii	iiii.com

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B4 (Official Form 4) (12/07)

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

In re	KJ'z Wings & Ale, LLC	Case No.	
	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)	(2)	(4)	(5)
(1)	(2)	(3)	(4)	(5)
Name of creditor and complete	Name, telephone number and complete	Nature of claim (trade	Indicate if claim is	Amount of claim
mailing address including zip	mailing address, including zip code, of	debt, bank loan,	contingent,	[if secured, also
code	employee, agent, or department of creditor	government contract,	unliquidated,	state value of
	familiar with claim who may be contacted	etc.)	disputed, or	security]
	Jamman wan ciami was may ce comucica	<i>c.c.</i> ,	subject to setoff	seem nyj
SC Dept of Rev. & Tax	SC Dept of Rev. & Tax	Withholding taxes		38,000.00
PO Box 12265	PO Box 12265	and sales tax		
Columbia, SC 29211	Columbia, SC 29211			
Internal Revenue Service	Internal Revenue Service	Withholding taxes		6,000.00
Centralized Insolvency	Centralized Insolvency Operation	_		
Operation	PO Box 7346			
PO Box 7346	Philadelphia, PA 19101-7346			
Philadelphia, PA 19101-7346	, , , , , , , , , , , , , , , , , , ,			
Chester County Tax	Chester County Tax Collector	Property taxes		1,500.00
Collector	1476 J A Cochran Bypass		1	
1476 J A Cochran Bypass	Chester, SC 29706-2187			
Chester, SC 29706-2187				
		l	1	

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B4 (Office	cial Form 4) (12/07) - Cont.			
In re	KJ'z Wings & Ale, 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 Owner 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 17, 2015	Signature	/s/ Danny D. Hyslop
			Danny D. Hyslop
			Owner

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

		District of South Carollia		
In re	KJ'z Wings & Ale, LLC	Debtor(s)	Case No. Chapter	11
		Deoto1(3)	Chapter	
	CERTIFICATION	ON VERIFYING CREDIT	OR MATRIX	ζ.
CM/E0	The above named debtor, or attorney for aptrox Rule 1007-1 that the master mailing CF, or conventionally filed in a typed har ation to, the debtor's schedules, statements are	list of creditors submitted eithed copy scannable format which	er on computer d has been comp	liskette, electronically filed via ared to, and contains identical
	Master mailing list of creditors submitted v	via:		
	(a) computer diskette			
	(b)scannable hard cop (number of sheets submitted			
	(c) X electronic version file	ed via CM/ECF		
Date:	March 17, 2015	/s/ Danny D. Hyslop		
		Danny D. Hyslop/Owner Signer/Title		
Date:	March 17, 2015	/s/ Robert H. Cooper		
		Signature of Attorney		
		Robert H. Cooper #5670		
		The Cooper Law Firm 150 Milestone Way, Ste. C		
		Greenville,, SC 29615		
		864-271-9911 Fax: 864-232-	5236	
		Typed/Printed Name/Address/	Telephone	

#5670

District Court I.D. Number

Business Financial Services 3301 N. University Drive Ste 300 Coral Springs FL 33065

Chester County Tax Collector 1476 J A Cochran Bypass Chester SC 29706-2187

Corporation Service Company 801 Adlai Stevenson Drive Springfield IL 62703

Corporation Service Company PO Box 2576 Springfield IL 62708

Internal Revenue Service Centralized Insolvency Operation PO Box 7346 Philadelphia PA 19101-7346

Internal Revenue Service 1835 Assembly Street MDP 39 / Room 469 Columbia SC 29201

Lease Investment Company 5925 Farm Pond Road Apex NC 27523

Palmetto Plaza, LLC PO Box 1425 Chester SC 29706

SC Dept of Rev. & Tax PO Box 12265 Columbia SC 29211

SC DEPT OF REVENUE PO Box 12099 Rock Hill SC 29731

US Foods, Inc. 125 Fort Mill Parkway Fort Mill SC 29715