

B1 (Official Form 1) (1/08)

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): Lunchbox Deli, LLC		Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): aka Wing Stop Restaurant		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 I.D. (ITIN) No./Complete EIN (if more than one, state all): 26-0661667		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):
Street Address of Debtor (No. and Street, City, and State): 1906 Jara Court Houston, TX		Street Address of Joint Debtor (No. and Street, City, and State):
ZIP CODE 77388		ZIP CODE
County of Residence or of the Principal Place of Business: Harris		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): 1906 Jara Court Houston, TX		Mailing Address of Joint Debtor (if different from street address):
ZIP CODE 77388		ZIP CODE
Location of Principal Assets of Business Debtor (if different from street address above): 10749 North Freeway, Houston, TX		ZIP CODE 77037
Type of Debtor (Form of Organization) (Check one box.) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box.) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
Filing Fee (Check one box.) <input checked="" type="checkbox"/> Full Filing Fee attached. <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		Chapter 11 Debtors Check one box: <input checked="" type="checkbox"/> Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000		
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input checked="" type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		

Voluntary Petition <i>(This page must be completed and filed in every case.)</i>		Name of Debtor(s): Lunchbox Deli, LLC	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)			
Location Where Filed: None	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 sheet.)			
Name of Debtor: None	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
<p style="text-align:center;">Exhibit A</p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align:center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>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, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).</p> <p style="text-align:center; font-size: 2em; margin-top: 10px;">X _____</p> <p style="text-align:right; margin-top: 5px;">Date</p>		
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?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> 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.)			
<input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.			
If this is a joint petition:			
<input type="checkbox"/> 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.)			
<input checked="" type="checkbox"/> 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.			
<input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<input type="checkbox"/> 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.)			
<input type="checkbox"/> 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)			
<input type="checkbox"/> 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			
<input type="checkbox"/> 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.			
<input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

<p>Voluntary Petition <i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): Lunchbox Deli, LLC</p>
Signatures	
<p>Signature(s) of Debtor(s) (Individual/Joint)</p> <p>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).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ _____ _____ Telephone Number (If not represented by attorney) _____ _____ Date _____</p>	<p>Signature of a Foreign Representative</p> <p>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.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed Name of Foreign Representative)</p> <p>_____ Date _____</p>
<p>Signature of Attorney*</p> <p>X <u>/s/ Alexander B. Wathen</u> Alexander B. Wathen Bar No. 24005122</p> <p>Wathen & Associates 10333 Northwest Freeway Suite 503 Houston, TX 77092</p> <p>Phone No. (281) 999-9025 Fax No. _____ _____ 03/02/2010 Date _____</p> <p><small>*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.</small></p>	<p>Signature of Non-Attorney Bankruptcy Petition Preparer</p> <p>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.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ 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.)</p>
<p>Signature of Debtor (Corporation/Partnership)</p> <p>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.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>Lunchbox Deli, LLC</p> <p>X <u>/s/ Charles T. Gutierrez</u> Signature of Authorized Individual</p> <p>Charles T. Gutierrez Printed Name of Authorized Individual</p> <p>Member & Sole Director Title of Authorized Individual</p> <p>03/02/2010 Date _____</p>	<p>_____ Address</p> <p>X _____ _____ Date _____</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.</p> <p>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.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>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.</i></p>

B4 (Official Form 4) (12/07)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: **Lunchbox Deli, LLC**

Case No.

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]
Internal Revenue Service Special Procedures STOP 5022 HOU 1919 Smith Street Houston, Texas 77002		Taxes		\$100,000.00
Rich Development Company 1000 North Western Avenue, Suite 200 San Pedro, CA 90732		Wingstop lease		\$23,324.35
Texas State Comptroller PO Box 13528 Austin, TX 78711-3528		Sales Taxes and Franchise Taxes		\$14,000.00
Chase Po Box 15298 Wilmington, DE 19850		Credit Card		\$6,165.00
Citifinancial 300 Saint Paul Place Baltimore, MD 21202		Unsecured		\$4,210.32
Hilco Rec 5 Revere Dr Ste 510 Northbrook, IL 60062		Factoring Company Account		\$1,544.00

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: **Lunchbox Deli, LLC**

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Continuation Sheet No. 1

(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]
Gemb/tweeter Tx Po Box 981439 El Paso, TX 79998		Charge Account		\$1,543.00
Harris County et al Linebarger Goggan Blair & Sampson, LLP 1301 Travis Street, Third Floor Houston, TX 77002		Collection Agency		\$1,445.77 Value: \$0.00
Creditors Interchange 80 Holtz Drive Cheektowaga, NY 14225		Credit Card		\$1,403.00
Chase Po Box 15298 Wilmington, DE 19850		Credit Card		\$1,402.00
Chase Bank - Overdrafts P O Box 36520 Louisville, KY 40233-6520		Bank account overdraft		\$1,325.00
Sprint PCS UMB PO Box 219554 Kansas City, MO 64121-9554		Cell phone service		\$1,114.00
Diversified Adjustment 600 Coon Rapids Blvd Nw Coon Rapids, MN 55433		Collection Attorney		\$1,113.00

B4 (Official Form 4) (12/07)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: **Lunchbox Deli, LLC**

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Continuation Sheet No. 2

(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]
Speakeasy 1201 Western Ave. Seattle, WA 98101		Telcommunications		\$1,000.00
Pinnacle Financial Group 7825 Washington Avenue S Suite 310 Minneapolis, MN 55439		Collection Agency		\$734.22
Medical Recovery System 1113 Garredd Blvd Augusta, GA 30909		Collection Attorney		\$682.00
Credit Management 4200 International Pwy Carrollton, TX 75007		Unknown Loan Type		\$328.00
Citibank Usa/Home Depot Credit Card Attn.: Centralized Bankruptcy PO Box 20507 Kansas City, MO 64195		Charge Account		\$322.00
Tara Energy 1900 St. James Place, Suite 300 Houston, TX 77056		Electricity Service		\$236.00
Collection Po Box 9134 Needham, MA 02494		Unknown Loan Type		\$205.00

B4 (Official Form 4) (12/07)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: **Lunchbox Deli, LLC**

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Continuation Sheet No. 3

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

I, the Member & Sole Director 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: 03/02/2010

Signature: /s/ Charles T. Gutierrez
Charles T. Gutierrez
Member & Sole Director

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: **Lunchbox Deli, LLC**

CASE NO

CHAPTER **11**

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 03/02/2010

Signature /s/ Charles T. Gutierrez
Charles T. Gutierrez
Member & Sole Director

Date _____

Signature _____

Debtor(s): Lunchbox Deli, LLC

Case No:

SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Chapter: 11

10777 North Freeway, LP
ATTN: James W. Wallace
952 Echo Lane, Suite 125
Houston, TX 77024

Creditors Interchange
80 Holtz Drive
Cheektowaga, NY 14225

INTERNAL REVENUE SERVICE
Centralized Insolvency Operations
PO Box 21126
Philadelphia, PA 19114-1294

AT&T
P.O. Box 930170
Dallas, TX 75393-0170

Creditors Interchange
Bankruptcy & Probate Office
1137 Old York Road
Abington, PA 19001

Johnson Space Ctr Fcu
Pob 58346
Houston, TX 77258

AT&T Wireless
One ATT Way
Bedminster, NJ 07921

District Counsel
Internal Revenue Service
8701 Gessner, Suite 710
Houston, TX 77074

Medical Recovery Systems
1113 Garredd Blvd
Augusta, GA 30909

Chase
Po Box 15298
Wilmington, DE 19850

Diversified Adjustment
600 Coon Rapids Blvd Nw
Coon Rapids, MN 55433

Pinnacle Financial Group
7825 Washington Avenue S
Suite 310
Minneapolis, MN 55439

Chase Bank - Overdrafts
P O Box 36520
Louisville, KY 40233-6520

Fst Premier
PO Box 5524
Sioux Falls, SD 57117

Resource One Cu
Po Box 660077
Dallas, TX 75266

Citibank Usa/Home Depot Credit
Attn.: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195

Gemb/tweeter Tx
Po Box 981439
El Paso, TX 79998

Rich Development Company
1000 North Western Avenue, Suite
San Pedro, CA 90732

Citifinancial
300 Saint Paul Place
Baltimore, MD 21202

Harris County et al
Linebarger Goggan Blair & Samps
1301 Travis Street, Third Floor
Houston, TX 77002

Speakeasy
1201 Western Ave.
Seattle, WA 98101

CitiSmall Business Lending
1 Cit Drive
Livingston, NJ 07039

Hilco Rec
5 Revere Dr Ste 510
Northbrook, IL 60062

Sprint PCS
UMB
PO Box 219554
Kansas City, MO 64121-9554

Collection
Po Box 9134
Needham, MA 02494

Hon. Eric Holder, Atty. Gen.
ATTN: IRS Accounts
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Sprint PCS
P.O. Box 860092
Dallas, TX 75266-0092

Credit Management
4200 International Pwy
Carrollton, TX 75007

Internal Revenue Service
Special Procedures
STOP 5022 HOU
1919 Smith Street
Houston, Texas 77002

Sprint PCS
6391 Sprint Pkwy
Overland, KS 66251

Debtor(s): Lunchbox Deli, LLC

Case No:

Chapter: 11

SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Tara Energy
1900 St. James Place, Suite 300
Houston, TX 77056

Texas State Comptroller
PO Box 13528
Austin, TX 78711-3528

U.S. Attorney
Southern District of Texas
910 Travis, Suite 1500
P.O. Box 61129
Houston, TX 77208

West Asset Management
P.O. Box 105698
Atlanta, GA 30348

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7171 Mercy Road
Omaha, NE 68106

West Asset Management
P.O. Box 956842
St. Louis, MO 63195