**B1 (Official Form 1) (12/11)** **Bar No#: 24045907**

**United States Bankruptcy Court**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

**Voluntary Petition**

| | |
|---|---|
| Name of Debtor (if individual, enter Last, First, Middle): **THE CAKE SHOP 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): **dba THE CAKE SHOP (SOUTHWEST MILITARY)** | 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)/Complete EIN (if more than one, state all): **20-2313005** | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): |
| Street Address of Debtor (No. and Street, City, and State): **18720 STONE OAK PKWY STE 113 SAN ANTONIO, TX** ZIP CODE **78258** | Street Address of Joint Debtor (No. and Street, City, and State): ZIP CODE |
| County of Residence or of the Principal Place of Business: **BEXAR** | County of Residence or of the Principal Place of Business: |
| Mailing Address of Debtor (if different from street address): **9871 I-H10 WEST SAN ANTONIO, TX** ZIP CODE **78230** | Mailing Address of Joint Debtor (if different from street address): ZIP CODE |
| Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE | |

**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.)

**Nature of Business**
(Check one box.)

- ☐ Health Care Business
- ☐ Single Asset Real Estate as defined 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 11
- ☐ Chapter 12
- ☐ Chapter 13
- ☐ Chapter 15 Petition for Recognition of a Foreign Main Proceeding
- ☐ Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding

**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:

**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).

**Nature of Debts**
(Check one box.)

- ☐ 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."
- ☑ Debts are primarily business debts.

**Filing Fee** (Check one box.)

- ☑ Full Filing Fee attached.
- ☐ 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.
- ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.

**Check one box:** **Chapter 11 Debtors**

- ☑ Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D).
- ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).

**Check if:**

- ☑ Debtor's aggregate noncontigent liquidated debts (excluding debts owed to insiders or affiliates) are less than $2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter).

**Check all applicable boxes:**

- ☐ A plan is being filed with this petition.
- ☐ 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**

- ☑ Debtor estimates that funds will be available for distribution to unsecured creditors.
- ☐ 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

| ☑ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ |
|---|---|---|---|---|---|---|---|---|---|
| 1-49 | 50-99 | 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 Assets

| ☑ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ |
|---|---|---|---|---|---|---|---|---|---|
| $0 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 | More than $1 billion |

Estimated Liabilities

| ☐ | ☐ | ☑ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | ☐ |
|---|---|---|---|---|---|---|---|---|---|
| $0 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 | More than $1 billion |

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| **Voluntary Petition** *(This page must be completed and filed in every case.)* | Name of Debtor(s): **THE CAKE SHOP 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: **JOSE SALZILLO** | Case Number: | Date Filed: **5/11/2012** |
| District: **WESTERN** | Relationship: **MEMBER** | Judge: |

**Exhibit A**

(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.)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(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 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).

**X** _____

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(l)).

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## Voluntary Petition

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

Name of Debtor(s): **THE CAKE SHOP 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 _____

X _____

_____
Telephone Number (If not represented by attorney)

_____
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 Attorney*

X **/s/ MARGOT BIANCA GALLEGOS**
**MARGOT BIANCA GALLEGOS** Bar No. **24045907**

**LAW OFFICES OF MARGOT BIANCA GALLEGOS PC**
**4 DOMINION DRIVE, BLDG. 4**
**STE 250**
**SAN ANTONIO,TX 78257**

Phone No. **(210) 428-7000** Fax No. **(210) 501-0704**

5/11/2012
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 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 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.)

_____
Address

X _____

_____
Date

Signature of bankruptcy petiton 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.*

### 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.

**THE CAKE SHOP LLC**

X **/s/ JOSE SALZILLO**
Signature of Authorized Individual

**JOSE SALZILLO**
Printed Name of Authorized Individual

**Chief Financial Officer**
Title of Authorized Individual

**5/11/2012**
Date

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B6A (Official Form 6A) (12/07)

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE A - REAL PROPERTY

| Description and Location of Property | Nature of Debtor's Interest in Property | | Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or Exemption | Amount Of Secured Claim |
|---|---|---|---|---|
| **None** | | | | |
| | | **Total:** | **$0.00** | |

(Report also on Summary of Schedules)

B6B (Official Form 6B) (12/07)

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE B - PERSONAL PROPERTY

| Type of Property | None | Description and Location of Property | | Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption |
|---|---|---|---|---|
| 1. Cash on hand. | | 500<br>PENDING EXPENSES | | $500.00 |
| 2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. | | FROST BANK-CHECKING<br>AFTER PENDING PAYROLL AND OTHER RELATED EXPENSES | | $1,000.00 |
| 3. Security deposits with public utilities, telephone companies, landlords, and others. | X | | | |
| 4. Household goods and furnishings, including audio, video and computer equipment. | X | | | |
| 5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles. | X | | | |
| 6. Wearing apparel. | X | | | |
| 7. Furs and jewelry. | X | | | |
| 8. Firearms and sports, photographic, and other hobby equipment. | X | | | |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each. | X | | | |
| 10. Annuities. Itemize and name each issuer. | X | | | |

B6B (Official Form 6B) (12/07) -- Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE B - PERSONAL PROPERTY

*Continuation Sheet No. 1*

| Type of Property | None | Description and Location of Property | | Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption |
|---|---|---|---|---|
| 11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).) | X | | | |
| 12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars. | X | | | |
| 13. Stock and interests in incorporated and unincorporated businesses. Itemize. | | 100% INTEREST IN CAKE SHOP AT BANDERA (NOW DEFUNCT- MAY 2011) | | $0.00 |
| 14. Interests in partnerships or joint ventures. Itemize. | X | | | |
| 15. Government and corporate bonds and other negotiable and non-negotiable instruments. | X | | | |
| 16. Accounts receivable. | | PENDING CREDIT CARD BATCHES FROM WEDNESDAY, MAY 9 AND THURSDAY MAY 10, 2012<br>BUSINESS EXPENSES | | $2,500.00 |
| 17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars. | X | | | |
| 18. Other liquidated debts owed to debtor including tax refunds. Give particulars. | | DOMINGO ESCAMILLA MONTIEL<br>230 JOSEPHINE TOBIN<br>SAN ANTONIO, TEXAS 78201<br>**PAID FOR CONTRACT WORK NOT COMPLETED AT | | $20,000.00 |

B6B (Official Form 6B) (12/07) -- Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE B - PERSONAL PROPERTY

*Continuation Sheet No. 2*

| Type of Property | None | Description and Location of Property | | Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption |
|---|---|---|---|---|
| | | BANDERA AND MILITARY LOCATIONS | | |
| 19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property. | X | | | |
| 20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust. | X | | | |
| 21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each. | X | | | |
| 22. Patents, copyrights, and other intellectual property. Give particulars. | X | | | |
| 23. Licenses, franchises, and other general intangibles. Give particulars. | X | | | |
| 24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | X | | | |
| 25. Automobiles, trucks, trailers, and other vehicles and accessories. | X | | | |

B6B (Official Form 6B) (12/07) -- Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE B - PERSONAL PROPERTY

*Continuation Sheet No. 3*

| Type of Property | None | Description and Location of Property | | Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption |
|---|---|---|---|---|
| 26. Boats, motors, and accessories. | X | | | |
| 27. Aircraft and accessories. | X | | | |
| 28. Office equipment, furnishings, and supplies. | | COMPUTER, PRINTER, CREDIT CARD MACHINE, LAPTOP, CALCULATORS, MANUAL IMPRINT CREDIT CARD MACHINE | | $1,000.00 |
| 29. Machinery, fixtures, equipment, and supplies used in business. | | COOLERS (5)<br>1 LARGE WALK IN FREEZER<br>1 LARGE WALK IN COOLER<br>BAKING EQUIPMENT- TABLE, CHAIRS, OVENS, MIXERS, KITCHEN UTENSILS, CAKE STANDS | | $20,000.00 |
| 30. Inventory. | X | | | |
| 31. Animals. | X | | | |
| 32. Crops - growing or harvested. Give particulars. | X | | | |
| 33. Farming equipment and implements. | X | | | |
| 34. Farm supplies, chemicals, and feed. | X | | | |
| 35. Other personal property of any kind not already listed. Itemize. | X | | | |

3 continuation sheets attached

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

**Total >** **$45,000.00**

B6C (Official Form 6C) (4/10)

In re **THE CAKE SHOP LLC** Case No. _____ (If known)

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under: (Check one box)

☐ 11 U.S.C. § 522(b)(2)
☐ 11 U.S.C. § 522(b)(3)

☐ Check if debtor claims a homestead exemption that exceeds $146,450.*

| Description of Property | Specify Law Providing Each Exemption | Value of Claimed Exemption | Current Value of Property Without Deducting Exemption |
|---|---|---|---|
| Not Applicable | | | |
| | | **$0.00** | **$0.00** |

** Amount subject to adjustment on 4/1/13 and every three years thereafter with respect to cases commenced on or after the date of adjustment.*

B6D (Official Form 6D) (12/07)

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.) | CODEBTOR | | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
|---|---|---|---|---|---|---|---|---|
| ACCT #:<br>**IRS**<br>**AUSTIN TEXAS 78707** | X | | DATE INCURRED:<br>NATURE OF LIEN:<br>**941 Taxes**<br>COLLATERAL:<br>**100% INTEREST IN CAKE SHOP AT BANDERA (N**<br>REMARKS:<br>**EIN-26-4533070**<br>VALUE: **$0.00** | | | | **$8,000.00** | **$8,000.00** |
| **Representing:**<br>**IRS** | | | **IRS**<br>**8700 TESORO, STE. 201**<br>**SAN ANTONIO TEXAS**<br>**78217** | | | | **Notice Only** | **Notice Only** |
| ACCT #:<br>**MERCADO PARTNERS LTD**<br>**9100 I10 WEST, STE 102**<br>**SAN ANTONIO, TEXAS 78230** | X | | DATE INCURRED:<br>NATURE OF LIEN:<br>**Contract/Lease**<br>COLLATERAL:<br>**LEASE AGREEMENT**<br>REMARKS:<br>**LEASE AGREEMENT**<br>VALUE: **$0.00** | | | | **$14,000.00** | **$14,000.00** |
| | | | | | | | | |
| | | | **Subtotal (Total of this Page) >** | | | | **$22,000.00** | **$22,000.00** |
| | | | **Total (Use only on last page) >** | | | | **$22,000.00** | **$22,000.00** |
| | | | | | | | (Report also on Summary of Schedules.) | (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.) |

**No** continuation sheets attached

B6E (Official Form 6E) (04/10)

In re **THE CAKE SHOP LLC** Case No. _____
(If Known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

## TYPES OF PRIORITY CLAIMS

(Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

☐ **Domestic Support Obligations**
Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**
Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**
Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to $11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**
Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**
Claims of certain farmers and fishermen, up to $5,775* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**
Claims of individuals up to $2,600* for deposits for the purchase, lease or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☑ **Taxes and Certain Other Debts Owed to Governmental Units**
Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**
Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for Death or Personal Injury While Debtor Was Intoxicated**
Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

☑ **Administrative allowances under 11 U.S.C. Sec. 330**
Claims based on services rendered by the trustee, examiner, professional person, or attorney and by any paraprofessional person employed by such person as approved by the court and/or in accordance with 11 U.S.C. §§ 326, 328, 329 and 330.

** Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.*

**2** continuation sheets attached

B6E (Official Form 6E) (04/10) - Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (If Known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

| TYPE OF PRIORITY | Taxes and Certain Other Debts Owed to Governmental Units |
|---|---|

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM | AMOUNT ENTITLED TO PRIORITY | AMOUNT NOT ENTITLED TO PRIORITY, IF ANY |
|---|---|---|---|---|---|---|---|---|---|
| ACCT #:<br>**IRS**<br>**8700 TESORO, STE. 201**<br>**SAN ANTONIO TEXAS**<br>**78217** | X | | DATE INCURRED:<br>CONSIDERATION:<br>**Taxes**<br>REMARKS:<br>**STONE OAK LOCATION- EIN 20-2313005** | | | | **$50,000.00** | **$50,000.00** | **$0.00** |
| ACCT #:<br>**SYVLIA ROMA-TAX ASSESSOR**<br>**PO BOX 839950**<br>**SAN ANTONIO,TEXAS 78283** | X | | DATE INCURRED:<br>CONSIDERATION:<br>**Taxes**<br>REMARKS: | | | | **$300.00** | **$300.00** | **$0.00** |
| **Representing:**<br>**SYVLIA ROMA-TAX ASSESSOR** | | | **LINEBARGER GOGGAN BLAIR & SAMPSON**<br>**711 NAVARRO, STE 300**<br>**SAN ANTONIO TEXAS 78205** | | | | **Notice Only** | **Notice Only** | **Notice Only** |
| ACCT #:<br>**TEXAS WORKFORCE COMMISSION**<br>**101 E. 15TH STREET**<br>**AUSTIN, TEXAS 78778** | | | DATE INCURRED:<br>CONSIDERATION:<br>**Collecting for -TAXES**<br>REMARKS: | | | | **$1,500.00** | **$1,500.00** | **$0.00** |
| **Representing:**<br>**TEXAS WORKFORCE COMMISSION** | | | **CAKE SHOP AT BANDERA LLC**<br>**C/O SALZILLO ENTERPRISES LLP**<br>**9871 IH 10**<br>**SAN ANTONIO TEXAS 78230** | | | | **Notice Only** | **Notice Only** | **Notice Only** |
| **Representing:**<br>**TEXAS WORKFORCE COMMISSION** | | | **PERLA SALZILLO**<br>**17 WESTELM GARDEN**<br>**SAN ANTONIO TEXAS 78230** | | | | **Notice Only** | **Notice Only** | **Notice Only** |

Sheet no. 1 of 2 continuation sheets attached to Schedule of Creditors Holding Priority Claims

**Subtotals (Totals of this page) >** **$51,800.00** **$51,800.00** **$0.00**

**Total >**

**(Use only on last page of the completed Schedule E. Report also on the Summary of Schedules.)**

**Totals >**

**(Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.)**

B6E (Official Form 6E) (04/10) - Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (If Known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

| TYPE OF PRIORITY | Administrative allowances |
|---|---|

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM | AMOUNT ENTITLED TO PRIORITY | AMOUNT NOT ENTITLED TO PRIORITY, IF ANY |
|---|---|---|---|---|---|---|---|---|---|
| ACCT #:<br>**LAW OFFICES OF MARGOT BIANCA GAL**<br>**4 DOMINION DRIVE, BLDG. 4**<br>**STE 250**<br>**SAN ANTONIO,TX 78257** | | | DATE INCURRED: **05/11/2012**<br>CONSIDERATION:<br>**Attorney Fees**<br>REMARKS: | | | | **$4,000.00** | **$4,000.00** | **$0.00** |
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Sheet no. 2 of 2 continuation sheets attached to Schedule of Creditors Holding Priority Claims

| | | | |
|---|---|---|---|
| **Subtotals (Totals of this page) >** | **$4,000.00** | **$4,000.00** | **$0.00** |
| **Total >** (Use only on last page of the completed Schedule E. Report also on the Summary of Schedules.) | **$55,800.00** | | |
| **Totals >** (Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.) | | **$55,800.00** | **$0.00** |

B6F (Official Form 6F) (12/07)

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|---|---|---|---|---|---|---|
| ACCT #:<br>**BURKHART PETERSON & COMPANY**<br>**9504 IH 35 NORTH, STE 310**<br>**SAN ANTONIO, TEXAS 78233** | X | | DATE INCURRED:<br>CONSIDERATION:<br>**Collecting for -TAX SERVICES**<br>REMARKS: | | | | **$5,500.00** |
| ACCT #:<br>**HUEMAN DEMETRIO PAZ RODRIGUEZ**<br>**BERRIOZABAL NO. 2 COL ATZACOALCO,**<br>**TEOLOYUCAN ESTADO DE MEXICO**<br>**MEXICO, 54770** | | | DATE INCURRED:<br>CONSIDERATION:<br>**Collecting for -INVESTMENT CONTRACT**<br>REMARKS: | | | X | **Unknown** |
| ACCT #:<br>**JOSE SALZILLO**<br>**17 WESTELM GARDEN**<br>**SAN ANTONIO TX**<br>**78230** | X | | DATE INCURRED:<br>CONSIDERATION:<br>**941 Taxes**<br>REMARKS: | | | | **$0.00** |
| **Representing:**<br>**JOSE SALZILLO** | | | **BFSC GROUP LP**<br>**C/O NAIREOC PARTNERS LTD**<br>**7800 IH 10 WEST #800**<br>**SAN ANTONIO, TEXAS 78230** | | | | **Notice Only** |
| ACCT #:<br>**LAW OFFICE OF KENNETH GINDY**<br>**PO BOX 37343**<br>**SAN ANTONIO, TEXAS 78237** | | | DATE INCURRED:<br>CONSIDERATION:<br>**Notice Only**<br>REMARKS: | | | | **$0.00** |
| **Representing:**<br>**LAW OFFICE OF KENNETH GINDY** | | | **JACK SPRT, GP**<br>**C/O NAIREOC PARTNERS LTD**<br>**7800 IH 10 WEST #800**<br>**SAN ANTONIO, TEXAS**<br>**78230** | | | | **Notice Only** |
| | | | | | | **Subtotal >** | **$5,500.00** |
| | | | | | | **Total >** | |

**(Use only on last page of the completed Schedule F.)**
**(Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)**

**2** continuation sheets attached

B6F (Official Form 6F) (12/07) - Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|---|---|---|---|---|---|---|
| ACCT #:<br>**M2G REAL ESTATE LTD**<br>**C/O MILAN REAL ESTATE CAPITAL LLC**<br>**9601 MCALLISTER, STE 1160**<br>**SAN ANTONIO, TEXAS 78216** | X | | DATE INCURRED:<br>CONSIDERATION:<br>**Collecting for -LEASE PAYMENTS**<br>REMARKS:<br>**LAWSUIT 2012-CI-01492** | | | X | **$26,959.04** |
| **Representing:**<br>**M2G REAL ESTATE LTD** | | | **BRITTANY WEIL- ATTORNEY**<br>**C/O CURL & STAHL**<br>**700 N. ST. MARY'S STE 1930**<br>**SAN ANTONIO, TEXAS 78205-3507** | | | | **Notice Only** |
| **Representing:**<br>**M2G REAL ESTATE LTD** | | | **PERLA SALZILLO**<br>**17 WESTELM GARDEN**<br>**SAN ANTONIO TEXAS 78230** | | | | **Notice Only** |
| ACCT #:<br>**ROSIO SUSANA ZARAGOZA**<br>**BERRIOZABAL NO. 2**<br>**ATZACOALCO, TEOOYUCAN ESTADO DE ME**<br>**MEXICO,54770** | X | | DATE INCURRED:<br>CONSIDERATION:<br>**LAWSUIT**<br>REMARKS: | | | X | **Unknown** |
| **Representing:**<br>**ROSIO SUSANA ZARAGOZA** | | | **CAKE SHOP AT BANDERA LLC**<br>**C/O SALZILLO ENTERPRISES LLP**<br>**9871 IH 10**<br>**SAN ANTONIO TEXAS 78230** | | | | **Notice Only** |
| **Representing:**<br>**ROSIO SUSANA ZARAGOZA** | | | **LAW OFFICE OF ABEL DOMINGUEZ**<br>**5820 IH 10 WEST STE 300**<br>**SAN ANTONIO, TEXAS 78201** | | | | **Notice Only** |

Sheet no. **1** of **2** continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

**Subtotal >** **$26,959.04**

**Total >**

**(Use only on last page of the completed Schedule F.)**
**(Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)**

B6F (Official Form 6F) (12/07) - Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

| CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM |
|---|---|---|---|---|---|---|---|
| **Representing:**<br>**ROSIO SUSANA ZARAGOZA** | | | **PERLA SALZILLO**<br>**17 WESTELM GARDEN**<br>**SAN ANTONIO TEXAS 78230** | | | | **Notice Only** |
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Sheet no. **2** of **2** continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

**Subtotal >** **$0.00**

**Total >** **$32,459.04**

**(Use only on last page of the completed Schedule F.)**
**(Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)**

B6G (Official Form 6G) (12/07)

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases of contracts, 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 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

| NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT. | DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT. |
|---|---|
| **MERCADO PARTNERS LTD**<br>9100 IH 10 WEST STE 102<br>SAN ANTONIO, TEXAS 78230 | LEASE AGREEMENT<br>Contract to be ASSUMED<br>Contract is in DEFAULT |

B6H (Official Form 6H) (12/07)

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

| NAME AND ADDRESS OF CODEBTOR | NAME AND ADDRESS OF CREDITOR |
|---|---|
| **CAKE SHOP AT BANDERA LLC**<br>C/O SALZILLO ENTERPRISES LLP<br>9871 IH 10<br>SAN ANTONIO TEXAS 78230 | **IRS**<br>AUSTIN TEXAS 78707 |
| **JOSE D. SALZILLO**<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 | **M2G REAL ESTATE LTD**<br>C/O MILAN REAL ESTATE CAPITAL LLC<br>9601 MCALLISTER, STE 1160<br>SAN ANTONIO, TEXAS 78216 |
| **JOSE SALZILLO**<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 | **IRS**<br>AUSTIN TEXAS 78707 |
| **JOSE SALZILLO**<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 | **MERCADO PARTNERS LTD**<br>9100 I10 WEST, STE 102<br>SAN ANTONIO, TEXAS 78230 |
| **PERLA SALZILLO**<br>17 WESTELM GARDEN<br>SAN ANTONIO TEXAS 78230 | **IRS**<br>AUSTIN TEXAS 78707 |
| **SALZILLO ENTERPRISES LLP**<br>9871 IH 10 WEST<br>SAN ANTONIO TEXAS 78230 | **IRS**<br>AUSTIN TEXAS 78707 |
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **BFSC GROUP LP**<br>C/O NAIREOC PARTNERS LTD<br>7800 IH 10 WEST #800<br>SAN ANTONIO, TEXAS 78230 |

B6H (Official Form 6H) (12/07) - Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE H - CODEBTORS

*Continuation Sheet No. 1*

| NAME AND ADDRESS OF CODEBTOR | NAME AND ADDRESS OF CREDITOR |
|---|---|
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **BURKHART PETERSON & COMPANY**<br>9504 IH 35 NORTH, STE 310<br>SAN ANTONIO, TEXAS 78233 |
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **IRS**<br>AUSTIN TEXAS 78707 |
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **IRS**<br>8700 TESORO, STE. 201<br>SAN ANTONIO TEXAS<br>78217 |
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **JACK SPRT, GP**<br>C/O NAIREOC PARTNERS LTD<br>7800 IH 10 WEST #800<br>SAN ANTONIO, TEXAS<br>78230 |
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **JOSE SALZILLO**<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 |
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **M2G REAL ESTATE LTD**<br>C/O MILAN REAL ESTATE CAPITAL LLC<br>9601 MCALLISTER, STE 1160<br>SAN ANTONIO, TEXAS 78216 |
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **ROSIO SUSANA ZARAGOZA**<br>BERRIOZABAL NO. 2<br>ATZACOALCO, TEOOYUCAN ESTADO DE MEXICO<br>MEXICO,54770 |

B6H (Official Form 6H) (12/07) - Cont.

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

## SCHEDULE H - CODEBTORS

*Continuation Sheet No. 2*

| NAME AND ADDRESS OF CODEBTOR | NAME AND ADDRESS OF CREDITOR |
|---|---|
| **THE CAKE SHOP LLC**<br>9871 1H 10<br>SAN ANTONIO, TEXAS 78230 | **SYVLIA ROMA-TAX ASSESSOR**<br>PO BOX 839950<br>SAN ANTONIO,TEXAS 78283 |

B6 Summary (Official Form 6 - Summary) (12/07)

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re **THE CAKE SHOP LLC** Case No.

Chapter **11**

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE | ATTACHED (YES/NO) | NO. OF SHEETS | ASSETS | LIABILITIES | OTHER |
|---|---|---|---|---|---|
| A - Real Property | Yes | **1** | **$0.00** | | |
| B - Personal Property | Yes | **4** | **$45,000.00** | | |
| C - Property Claimed as Exempt | No | | | | |
| D - Creditors Holding Secured Claims | Yes | **1** | | **$22,000.00** | |
| E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E) | Yes | **3** | | **$55,800.00** | |
| F - Creditors Holding Unsecured Nonpriority Claims | Yes | **3** | | **$32,459.04** | |
| G - Executory Contracts and Unexpired Leases | Yes | **1** | | | |
| H - Codebtors | Yes | **3** | | | |
| I - Current Income of Individual Debtor(s) | No | | | | **N/A** |
| J - Current Expenditures of Individual Debtor(s) | No | | | | **N/A** |
| | TOTAL | **16** | **$45,000.00** | **$110,259.04** | |

Form 6 - Statistical Summary (12/07)

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re **THE CAKE SHOP LLC** Case No.

Chapter **11**

## STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11, or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

| **Type of Liability** | **Amount** |
|---|---|
| Domestic Support Obligations (from Schedule E) | |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E) | |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) | |
| Student Loan Obligations (from Schedule F) | |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E | |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F) | |
| **TOTAL** | |

**State the following:**

| | |
|---|---|
| Average Income (from Schedule I, Line 16) | |
| Average Expenses (from Schedule J, Line 18) | |
| Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20) | |

**State the following:**

| | | |
|---|---|---|
| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column | | |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column. | | |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column | | |
| 4. Total from Schedule F | | |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4) | | |

B6 Declaration (Official Form 6 - Declaration) (12/07)

In re **THE CAKE SHOP LLC** Case No. _____ (if known)

# DECLARATION CONCERNING DEBTOR'S SCHEDULES

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

I, the ***Chief Financial Officer*** of the **LLC** named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of **18** sheets, and that they are true and correct to the best of my knowledge, information, and belief.
(Total shown on summary page plus 1.)

Date **5/11/2012** Signature **/s/ JOSE SALZILLO**
***JOSE SALZILLO***
***Chief Financial Officer***

*[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]*

*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.*

B7 (Official Form 7) (04/10)

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____ (if known)

# STATEMENT OF FINANCIAL AFFAIRS

## 1. Income from employment or operation of business

None ☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| AMOUNT | SOURCE |
|---|---|
| **GROSS SALES- $80,000.00 YTD GROSS INCOME- $15,000.00 YTD** | **STONE OAK LOCATION** |
| **2010- - $117,965.00 2009- APPROX. - $75,000.00** | |

## 2. Income other than from employment or operation of business

None ☑

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 3. Payments to creditors

***Complete a. or b., as appropriate, and c.***

None ☑

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than $600. Indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than $5,850*. If the debtor is an individual, indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

| NAME AND ADDRESS OF CREDITOR | DATES OF PAYMENTS/ TRANSFERS | AMOUNT PAID OR VALUE OF TRANSFERS | AMOUNT STILL OWING |
|---|---|---|---|
| **MERCADO PARTNERS LTD 9100 IH 10 WEST STE 102 SAN ANTONIO, TEXAS 78230** | **Monthly (Last 90 days)** | **$3,400.00** | **$14000.00** |

None ☑

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

B7 (Official Form 7) (04/10) - Cont.

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____ (if known)

# STATEMENT OF FINANCIAL AFFAIRS

*Continuation Sheet No. 1*

## 4. Suits and administrative proceedings, executions, garnishments and attachments

None ☐

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| CAPTION OF SUIT AND CASE NUMBER | NATURE OF PROCEEDING | COURT OR AGENCY AND LOCATION | STATUS OR DISPOSITION |
|---|---|---|---|
| 2012-CI-04290<br>M2G REAL ESTATE LTD<br>VS.<br>THE CAKE SHOP LLC, ET AL | BREACH OF LEASE | IN THE DISTRICT COURT 288TH JUDICIAL DISTRICT, BEXAR COUNTY, TEXAS | PENDING |
| CAUSE NO. 2011-CI-15872<br>ROSIO S. ZARAGOZA<br>V.<br>THE CAKE SHOP LLC, JOSE SALZILLO AND PERLA SALZILLO, DEFENDANTS | DEBT ON CONTRACT | IN THE 45TH DISTRICT OF BEXAR COUNTY, TEXAS | PENDING |
| 2011-CI-11258<br>THE CAKE SHOP LLC V. JACK E. SPRT, INDIVIDUALLY AND BFSC GROUP, LP, DEFENDANTS | CIVIL/BREACH/LOCK OUT | IN THE 225TH DISTRICT OF BEXAR COUNTY | NON -SUITED APRIL 2012 |

None ☐

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED | DATE OF SEIZURE | DESCRIPTION AND VALUE OF PROPERTY |
|---|---|---|
| THE CAKE SHOP AT BANDERA LLC | MAY 2011 | BAKING EQUIPMENT AND FIXTURES<br><br>$25,000.00 |

## 5. Repossessions, foreclosures and returns

None ☑

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 6. Assignments and receiverships

None ☑

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☑

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

B7 (Official Form 7) (04/10) - Cont.

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____ (if known)

# STATEMENT OF FINANCIAL AFFAIRS

*Continuation Sheet No. 2*

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None ☑

## 7. Gifts

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than $200 in value per individual family member and charitable contributions aggregating less than $100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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None ☑

## 8. Losses

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

---

None ☐

## 9. Payments related to debt counseling or bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

| NAME AND ADDRESS OF PAYEE | DATE OF PAYMENT, NAME OF PAYER IF OTHER THAN DEBTOR | AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY |
|---|---|---|
| **LAW OFFICES OF MARGOT BIANCA GALLEGOS PC<br>4 DOMINION DRIVE, BLDG. 4<br>STE 250<br>SAN ANTONIO,TX 78257** | **05/11/2012** | **$3,500.00** |

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None ☑

## 10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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None ☑

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

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None ☑

## 11. Closed financial accounts

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

---

None ☑

## 12. Safe deposit boxes

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

B7 (Official Form 7) (04/10) - Cont.

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____ (if known)

# STATEMENT OF FINANCIAL AFFAIRS

*Continuation Sheet No. 3*

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None ☑

## 13. Setoffs

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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None ☑

## 14. Property held for another person

List all property owned by another person that the debtor holds or controls.

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None ☐

## 15. Prior address of debtor

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

| ADDRESS | NAME USED | DATES OF OCCUPANCY |
|---|---|---|
| **MAILING ADDRESS:**<br><br>**3740 COLONY DRIVE, STE 214**<br>**SAN ANTONIO, TEXAS 78230** | **THE CAKE SHOP LLC** | |

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None ☐

## 16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

**NAME**

**PERLA SALZILLO**
**17 WESTELM GARDEN**
**SAN ANTONIO TEXAS 78230**

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## 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

---

None ☑

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

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None ☑

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

B7 (Official Form 7) (04/10) - Cont.

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____ (if known)

# STATEMENT OF FINANCIAL AFFAIRS

*Continuation Sheet No. 4*

None ☑ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

## 18. Nature, location and name of business

None ☐ a. If the debtor is an individual, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

| NAME, ADDRESS, AND LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN) / COMPLETE EIN | NATURE OF BUSINESS | BEGINNING AND ENDING DATES |
|---|---|---|
| **THE CAKE SHOP AT BANDERA LLC**<br>**EIN- 26-4533070**<br><br>**DEFUNCT** | **CAKES/ BAKERY** | **JANUARY 2009 - MAY 2011** |

None ☑ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

## 19. Books, records and financial statements

None ☐ a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

| NAME AND ADDRESS | DATES SERVICES RENDERED |
|---|---|
| **ESTHER STANTON-BOOKKEEPER**<br>**3740 COLONY, STE 214**<br>**SAN ANTONIO, TEXAS 78230** | **2004- 2011** |

B7 (Official Form 7) (04/10) - Cont.

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____ (if known)

# STATEMENT OF FINANCIAL AFFAIRS

*Continuation Sheet No. 5*

None ☐ b. List all firms or individuals who within two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

| NAME AND ADDRESS | DATES SERVICES RENDERED |
|---|---|
| JOSE SALZILLO<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 | 2011-PRESENT |
| ESTHER STANTON-BOOKKEEPER<br>3740 COLONY, STE 214<br>SAN ANTONIO, TEXAS 78230 | 2004-2011 |

None ☐ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

| NAME | ADDRESS |
|---|---|
| JOSE SALZILLO | 17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 |
| LUIS HERNANDEZ | 5805 CALLAGHAN ROAD<br>STE 116<br>SAN ANTONIO, TEXAS 78228 |

None ☐ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two years immediately preceding the commencement of this case.

| NAME AND ADDRESS | DATE ISSUED |
|---|---|
| IRS<br>8700 TESORO, STE. 201<br>SAN ANTONIO TEXAS<br>78217 | 2011, 2012 |

## 20. Inventories

None ☐ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

| DATE OF INVENTORY | INVENTORY SUPERVISOR | DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis) |
|---|---|---|
| APPROX. JULY 2011 | IRS<br>8700 TESORO, STE. 201<br>SAN ANTONIO TEXAS<br>78217 | $30,000.00 APPROX |
| APRIL 2012 | JOSE SALZILLO<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 | $20000.00 |

B7 (Official Form 7) (04/10) - Cont.

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____ (if known)

# STATEMENT OF FINANCIAL AFFAIRS

*Continuation Sheet No. 6*

None ☐ b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.

| DATE OF INVENTORY | NAME AND ADDRESS OF CUSTODIAN OF INVENTORY RECORDS |
|---|---|
| 2011 | IRS<br>C/O ROBERT LEAL<br>8700 TESORO, STE. 201<br>SAN ANTONIO TEXAS<br>78217 |
| APRIL 2012 | JOSE SALZILLO<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 |

## 21. Current Partners, Officers, Directors and Shareholders

None ☑ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

None ☐ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

| NAME AND ADDRESS | TITLE | NATURE AND PERCENTAGE OF STOCK OWNERSHIP |
|---|---|---|
| PERLA SALZILLO- MEMBER<br>17 WESTELM GARDEN<br>SAN ANTONIO TEXAS 78230 | CHIEF EXECUTIVE OFFICER | 51% OF THE CAKE SHOP LLC |
| JOSE SALZILLO<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 | CHIEF FINANCIAL OFFICER | 49 % OF THE CAKE SHOP LLC |

## 22. Former partners, officers, directors and shareholders

None ☑ a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

None ☑ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

## 23. Withdrawals from a partnership or distributions by a corporation

None ☑ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

## 24. Tax Consolidation Group

None ☑ If the debtor is a corporation, list the name and federal taxpayer-identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case.

B7 (Official Form 7) (04/10) - Cont.

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____
(if known)

# STATEMENT OF FINANCIAL AFFAIRS

*Continuation Sheet No. 7*

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**25. Pension Funds**

None ☑

If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six years immediately preceding the commencement of the case.

B7 (Official Form 7) (04/10) - Cont.

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** Case No. _____
(if known)

## STATEMENT OF FINANCIAL AFFAIRS

*Continuation Sheet No. 8*

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*[If completed on behalf of a partnership or corporation]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date **5/11/2012** Signature **/s/ JOSE SALZILLO**
***JOSE SALZILLO***
***Chief Financial Officer***

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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

B 8 (Official Form 8) (12/08)

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: **THE CAKE SHOP LLC** CASE NO

CHAPTER **11**

# CHAPTER 11 STATEMENT OF INTENTION

PART A -- Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1

| **Creditor's Name:** | **Describe Property Securing Debt:** |
|---|---|
| MERCADO PARTNERS LTD<br>9100 I10 WEST, STE 102<br>SAN ANTONIO, TEXAS 78230 | LEASE AGREEMENT |

Property will be (check one):

☐ Surrendered ☑ Retained

If retaining the property, I intend to (check at least one):

☐ Redeem the property
☑ Reaffirm the debt
☐ Other. Explain (for example, avoid lien using 11 U.S.C. § 522(f)):

Property is (check one):

☐ Claimed as exempt ☐ Not claimed as exempt

PART B -- Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

Property No. 1

| **Lessor's Name:** | **Describe Leased Property:** | Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): |
|---|---|---|
| MERCADO PARTNERS LTD<br>9100 IH 10 WEST STE 102<br>SAN ANTONIO, TEXAS 78230 | LEASE AGREEMENT | YES ☑ NO ☐ |

**I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.**

Date **5/11/2012** Signature **/s/ JOSE SALZILLO**
***JOSE SALZILLO***
***Chief Financial Officer***

Date _____ Signature _____

B 8 (Official Form 8) (12/08)

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: **THE CAKE SHOP LLC** CASE NO

CHAPTER **11**

# CHAPTER 11 STATEMENT OF INTENTION

*Continuation Sheet No. 1*

## CERTIFICATE OF SERVICE

I, the below signed, do hereby certify that a true and correct copy of the foregoing Chapter 7 Individual Debtor's Statement of Intention was mailed or otherwise served to the Chapter 7 Trustee, the secured creditors as listed on Schedule D, the United States Trustee and/or to any other interested parties as may be required by B.R. 1007 and applicable local bankruptcy rules.

Date **5/11/2012**

**/s/ MARGOT BIANCA GALLEGOS**
**MARGOT BIANCA GALLEGOS**

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: **THE CAKE SHOP LLC** CASE NO

CHAPTER **11**

# DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

| | |
|---|---|
| For legal services, I have agreed to accept: | **$7,500.00** |
| Prior to the filing of this statement I have received: | **$3,500.00** |
| Balance Due: | **$4,000.00** |

2. The source of the compensation paid to me was:
   ☑ Debtor ☐ Other (specify)
3. The source of compensation to be paid to me is:
   ☑ Debtor ☐ Other (specify)
4. ☑ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

   ☐ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
   a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
   b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
   c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:
   **REPRESENTATION IN ADVERSARY PROCEEDINGS, SUBSEQUENT MOTIONS TO INCLUDE BUT NOT LIMITED TO PLANS, RESPONSES, AND THE LIKE AT THE RATE OF $150.00 PER HOUR**

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

**5/11/2012**
*Date*

**/s/ MARGOT BIANCA GALLEGOS**
*MARGOT BIANCA GALLEGOS* Bar No. 24045907
LAW OFFICES OF MARGOT BIANCA GALLEGOS PC
4 DOMINION DRIVE, BLDG. 4
STE 250
SAN ANTONIO,TX 78257
Phone: (210) 428-7000 / Fax: (210) 501-0704

**/s/ JOSE SALZILLO**
***JOSE SALZILLO***
***Chief Financial Officer***

B4 (Official Form 4) (12/07)

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: **THE CAKE SHOP 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) Name of creditor and complete mailing address, including zip code | (2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted | (3) Nature of claim (trade debt, bank loan, goverment contract, etc.) | (4) Indicate if claim is contingent, unliquidated, disputed, or subject to setoff | (5) Amount of claim [if secured also state value of security] |
|---|---|---|---|---|
| M2G REAL ESTATE LTD<br>C/O MILAN REAL ESTATE CAPITAL LLC<br>9601 MCALLISTER, STE 1160<br>SAN ANTONIO, TEXAS 78216 | | Collecting for -LEASE PAYMENTS | *Disputed* | **$26,959.04** |
| BURKHART PETERSON & COMPANY<br>9504 IH 35 NORTH, STE 310<br>SAN ANTONIO, TEXAS 78233 | | Collecting for -TAX SERVICES | | **$5,500.00** |
| ROSIO SUSANA ZARAGOZA BERRIOZABAL NO. 2<br>ATZACOALCO, TEOOYUCAN<br>ESTADO DE MEXICO<br>MEXICO,54770 | | LAWSUIT | *Disputed* | **$0.00** |
| LAW OFFICE OF KENNETH GINDY<br>PO BOX 37343<br>SAN ANTONIO, TEXAS 78237 | | Notice Only | | **$0.00** |
| JOSE SALZILLO<br>17 WESTELM GARDEN<br>SAN ANTONIO TX<br>78230 | | 941 Taxes | | **$0.00** |
| HUEMAN DEMETRIO PAZ RODRIGUEZ<br>BERRIOZABAL NO. 2 COL ATZACOALCO,<br>TEOLOYUCAN ESTADO DE MEXICO | | Collecting for -INVESTMENT CONTRACT | *Disputed* | **$0.00** |

B4 (Official Form 4) (12/07)

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: **THE CAKE SHOP LLC** Case No.

Chapter **11**

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

*Continuation Sheet No. 1*

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

I, the **Chief Financial Officer** of the **LLC** 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: **5/11/2012**

Signature: **/s/ JOSE SALZILLO**
***JOSE SALZILLO***
**Chief Financial Officer**

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: **THE CAKE SHOP 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 5/11/2012 Signature **/s/ JOSE SALZILLO**
***JOSE SALZILLO***
***Chief Financial Officer***

Date _____ Signature _____

**/s/ MARGOT BIANCA GALLEGOS**
***MARGOT BIANCA GALLEGOS***
***24045907***
***LAW OFFICES OF MARGOT BIANCA GALLEGOS PC***
***4 DOMINION DRIVE, BLDG. 4***
***STE 250***
***SAN ANTONIO,TX 78257***
***(210) 428-7000***

BFSC GROUP LP
C/O NAIREOC PARTNERS LTD
7800 IH 10 WEST #800
SAN ANTONIO, TEXAS 78230

BRITTANY WEIL- ATTORNEY
C/O CURL & STAHL
700 N. ST. MARY'S STE 1930
SAN ANTONIO, TEXAS 78205-3507

BURKHART PETERSON & COMPANY
9504 IH 35 NORTH, STE 310
SAN ANTONIO, TEXAS 78233

CAKE SHOP AT BANDERA LLC
C/O SALZILLO ENTERPRISES LLP
9871 IH 10
SAN ANTONIO TEXAS 78230

HUEMAN DEMETRIO PAZ RODRIGUEZ
BERRIOZABAL NO. 2 COL ATZACOALCO,
TEOLOYUCAN ESTADO DE MEXICO
MEXICO, 54770

IRS
AUSTIN TEXAS 78707

IRS
8700 TESORO, STE. 201
SAN ANTONIO TEXAS
78217

JACK SPRT, GP
C/O NAIREOC PARTNERS LTD
7800 IH 10 WEST #800
SAN ANTONIO, TEXAS
78230

JOSE D. SALZILLO
17 WESTELM GARDEN
SAN ANTONIO TX
78230

JOSE SALZILLO
17 WESTELM GARDEN
SAN ANTONIO TX
78230

LAW OFFICE OF ABEL DOMINGUEZ
5820 IH 10 WEST STE 300
SAN ANTONIO, TEXAS 78201

LAW OFFICE OF KENNETH GINDY
PO BOX 37343
SAN ANTONIO, TEXAS 78237

LAW OFFICES OF MARGOT BIANCA GALLEGOS PC
4 DOMINION DRIVE, BLDG. 4
STE 250
SAN ANTONIO,TX 78257

LINEBARGER GOGGAN BLAIR & SAMPSON
711 NAVARRO, STE 300
SAN ANTONIO TEXAS 78205

M2G REAL ESTATE LTD
C/O MILAN REAL ESTATE CAPITAL LLC
9601 MCALLISTER, STE 1160
SAN ANTONIO, TEXAS 78216

MERCADO PARTNERS LTD
9100 I10 WEST, STE 102
SAN ANTONIO, TEXAS 78230

MERCADO PARTNERS LTD
9100 IH 10 WEST STE 102
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**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: CHAPTER **11**
**THE CAKE SHOP LLC**

DEBTOR(S) CASE NO

## LIST OF EQUITY SECURITY HOLDERS

| Registered Name of Holder of Security<br>Last Known Address or Place of Business | Class of Security | Number Registered | Kind of Interest Registered |
|---|---|---|---|

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

I, the **Chief Financial Officer** of the **LLC** 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: **5/11/2012** Signature: **/s/ JOSE SALZILLO**
***JOSE SALZILLO***
**Chief Financial Officer**

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

In re: **THE CAKE SHOP LLC** CASE NO

CHAPTER **11**

## BUSINESS INCOME AND EXPENSES

### THE CAKE SHOP LLC

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONLY INCLUDE information directly related to the business operation.)

PART A - GROSS BUSINESS INCOME FOR PREVIOUS 12 MONTHS:

| | | |
|---|---|---|
| 1. Gross Income for 12 Months Prior to Filing: | **$185,000.00** | |

PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:

| | | |
|---|---|---|
| 2. Gross Monthly Income: | | **$25,000.00** |

PART C - ESTIMATED AVERAGE FUTURE MONTHLY EXPENSES:

| | | |
|---|---|---|
| 3. Net Employee Payroll (Other Than Debtor): | **$10,000.00** | |
| 4. Payroll Taxes: | **$1,800.00** | |
| 5. Unemployment Taxes: | **$600.00** | |
| 6. Worker's Compensation: | **$0.00** | |
| 7. Other Taxes: | **$0.00** | |
| 8. Inventory Purchases (including raw materials): | **$4,500.00** | |
| 9. Purchase of Feed/Fertilizer/Seed/Spray: | **$0.00** | |
| 10. Rent (other than debtor's principal residence): | **$3,400.00** | |
| 11. Utilities: | **$600.00** | |
| 12. Office Expenses and Supplies: | **$150.00** | |
| 13. Repairs and Maintenance: | **$100.00** | |
| 14. Vehicle Expenses: | **$0.00** | |
| 15. Travel and Entertainment: | **$0.00** | |
| 16. Equipment Rental and Leases: | **$0.00** | |
| 17. Legal/Accounting/Other Professional Fees: | **$0.00** | |
| 18. Insurance: | **$0.00** | |
| 19. Employee Benefits (e.g., pension, medical, etc.): | **$0.00** | |
| 20. Payments to be Made Directly by Debtor to Secured Creditors for Pre-Petition Business Debts (Specify): | **None** | |
| 21. Other (Specify): | **None** | |
| 22. Total Monthly Expenses (Add items 3 - 21) | | **$21,150.00** |

PART D - ESTIMATED AVERAGE NET MONTHLY INCOME:

| | | |
|---|---|---|
| 23. AVERAGE NET MONTHLY INCOME (Subtract item 22 from item 2): | | **$3,850.00** |

**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: **THE CAKE SHOP LLC** CASE NO.

CHAPTER **11**

## Certificate of Service

I CERTIFY THAT A TRUE AND CORRECT COPY OF THE FOREGOING HAS BEEN TRANSMITTED ON THIS DAY TO THE FOLLOWING CREDITORS:

LAW OFFICE OF MARGOT BIANCA GALLEGOS
8000 IH 10 WEST STE 1500
SAN ANTONIO TEXAS 78230

Date: **5/11/2012**

**/s/ MARGOT BIANCA GALLEGOS**
**MARGOT BIANCA GALLEGOS**
Attorney for the Debtor(s)

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**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

IN RE: **THE CAKE SHOP LLC** CASE NO.

CHAPTER **11**

## Certificate of Service

(Continuation Sheet #1)

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**UNITED STATES BANKRUPTCY COURT**
**WESTERN DISTRICT OF TEXAS**
**SAN ANTONIO DIVISION**

| | | |
|---|---|---|
| IN RE: | § | |
| **THE CAKE SHOP LLC** | § | Case No. _____ |
| | § | |
| Debtor(s) | § | Chapter **11** |

# DECLARATION FOR ELECTRONIC FILING OF BANKRUPTCY PETITION, LISTS, STATEMENTS, AND SCHEDULES

## PART I: DECLARATION OF PETITIONER:

As an individual debtor in this case, or as the individual authorized to act on behalf of the corporation, partnership, or limited liability company seeking bankruptcy relief in this case, I hereby request relief as, or on behalf of, the debtor in accordance with the chapter of title 11, United States Code, specified in the petition to be filed electronically in this case. I have read the information provided in the petition, lists, statements, and schedules to be filed electronically in this case and I HEREBY DECLARE UNDER PENALTY OF PERJURY that the information provided therein, as well as the social security information disclosed in this document, is true and correct. I understand that this Declaration is to be filed with the Bankruptcy Court within five (5) business days after the petition, lists, statements, and schedules have been filed electronically. I understand that a failure to file the signed original of this Declaration will result in the dismissal of my case.

☐ *[Only include for Chapter 7 individual petitioners whose debts are primarily consumer debts] --*
I am an individual whose debts are primarily consumer debts and who 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 chapter, and choose to proceed under chapter 7.

☑ *[Only include if petitioner is a corporation, partnership or limited liability company] --*
I hereby further declare under penalty of perjury that I have been authorized to file the petition, lists, statements, and schedules on behalf of the debtor in this case.

Date: **5/11/2012**

**/s/ JOSE SALZILLO**
JOSE SALZILLO
Chief Financial Officer
**Complete EIN: 20-2313005**

## PART II: DECLARATION OF ATTORNEY:

I declare UNDER PENALTY OF PERJURY that: (1) I will give the debtor(s) a copy of all documents referenced by Part I herein which are filed with the United States Bankruptcy Court; and (2) I have informed the debtor(s), if an individual with primarily consumer debts, 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.

Date: **5/11/2012**

**/s/ MARGOT BIANCA GALLEGOS**
MARGOT BIANCA GALLEGOS, Attorney for Debtor