

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF OHIO

Case number *(if known)* _____ Chapter 11 Check if this an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

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If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	<u>Westlake Briar, LLC</u>	
<hr/>		
2. All other names debtor used in the last 8 years Include any assumed names, trade names and <i>doing business as</i> names		
<hr/>		
3. Debtor's federal Employer Identification Number (EIN)	<u>46-2395492</u>	
<hr/>		
4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>951 Jaycox Rd</u> <u>Avon, OH 44011</u> Number, Street, City, State & ZIP Code	<u>P.O. Box 269</u> <u>Avon, OH 44011</u> P.O. Box, Number, Street, City, State & ZIP Code
	<u>Lorain</u> County	<u>Location of principal assets, if different from principal place of business</u> _____ Number, Street, City, State & ZIP Code
<hr/>		
5. Debtor's website (URL)	_____	
<hr/>		
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____	
<hr/>		

Debtor Westlake Briar, LLC
Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5313

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- 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).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- No.
- Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor <u>Keehan Tennessee Investment LLC</u>	Relationship _____	Affiliate _____
District <u>ND OH</u>	When <u>12/12/18</u>	Case number, if known <u>18-17349</u>

Debtor Westlake Briar, LLC
Name

Case number (if known) _____

11. Why is the case filed in this district? *Check all that apply:*

Debtor has had its domicile, 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.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? *(Check all that apply.)*

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other _____

Where is the property? _____
Number, Street, City, State & ZIP Code

Is the property insured?

No

Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds *Check one:*

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

15. Estimated Assets

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input checked="" type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

16. Estimated liabilities

<input type="checkbox"/> \$0 - \$50,000	<input checked="" type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor Westlake Briar, LLC
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 12, 2018
MM / DD / YYYY /s/ Donald J. Keehan, Jr.

Signature of authorized representative of debtor

Donald J. Keehan, Jr.

Printed name

Title Operating Manager**18. Signature of attorney** /s/ Frederic P. Schwieg, Esq.

Signature of attorney for debtor

Date December 12, 2018

MM / DD / YYYY

Frederic P. Schwieg, Esq. 0030418

Printed name

Frederic P Schwieg Attorney at Law

Firm name

2705 Gibson Dr
Rocky River, OH 44116-3008

Number, Street, City, State & ZIP Code

Contact phone 440-499-4506Email address fschwieg@schwieglaw.com0030418 OH

Bar number and State

Fill in this information to identify the case:

Debtor name **Westlake Briar, LLC**
 United States Bankruptcy Court for the: **NORTHERN DISTRICT OF OHIO**
 Case number (if known): _____

Check if this is an
 amended filing

Official Form 204**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Clerk of Courts-Civil Second Judicial District Court Washoe County 75 Court St Reno, NV 89501		Court Costs and Fees	Contingent Unliquidated Disputed			\$0.00
Cuyahoga County Common Pleas Ct Clerk of Court- Civil 1200 Ontario St FL1 Cleveland, OH 44113		Court costs and fees	Contingent Unliquidated Disputed			\$0.00
Dickinson Wright PLLC attn Kenneth K. Ching 100 W Liberty St Ste 940 Reno, NV 89501		Professional Services				\$0.00
Lorain County Court of Common Pleas P.O. Box 749 Elyria, OH 44036-0749		Court Costs	Contingent Unliquidated Disputed			\$0.00
Second Judicial District Court Washoe County attn Clerk of Court 75 Court St Reno, NV 89501		Court Costs and Fees	Contingent Unliquidated Disputed			\$0.00

**United States Bankruptcy Court
Northern District of Ohio**

In re Westlake Briar, LLC

Debtor(s)

Case No. _____

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

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:

FLAT FEE

For legal services, I have agreed to accept _____ \$ _____

Prior to the filing of this statement I have received _____ \$ _____

Balance Due _____ \$ _____

RETAINER

For legal services, I have agreed to accept and received a retainer of _____ \$ 20,000.00

The undersigned shall bill against the retainer at an hourly rate of _____ \$ 300.00

[Or attach firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.

amount paid is a retainer fees to be charged hourly

2. \$ 1,717.00 of the filing fee has been paid.
3. The source of the compensation paid to me was:
- Debtor Other (specify): **Donald J Keehan Jr. and David Keehan from funds owed them by 5 Star Holdings LLC. Payment was made from 5 Star directly.**
4. The source of compensation to be paid to me is:
- Debtor Other (specify):
5. 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 a 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. **retainer is for this case and Keehan Tennessee Investment LLC case**
6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
 - Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
 - Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
 - [Other provisions as needed]
7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

In re **Westlake Briar, LLC**

Case No. _____

Debtor(s)

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)
(Continuation Sheet)

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.

December 12, 2018

Date

/s/ Frederic P. Schwieg, Esq.

Frederic P. Schwieg, Esq. 0030418

Signature of Attorney

Frederic P Schwieg Attorney at Law

2705 Gibson Dr

Rocky River, OH 44116-3008

440-499-4506 Fax: 440-398-0490

fschwieg@schwieglaw.com

Name of law firm

**United States Bankruptcy Court
Northern District of Ohio**

In re Westlake Briar, LLC Debtor(s) Case No. Chapter 11

VERIFICATION OF CREDITOR MATRIX

I, the Operating Manager of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: December 12, 2018

/s/ Donald J. Keehan, Jr.
Donald J. Keehan, Jr./Operating Manager
Signer/Title

951 Realty Ltd.
951 Jaycox Rd
Avon, OH 44011

Clerk of Courts- Civil
Second Judicial District Court
Washoe County
75 Court St
Reno, NV 89501

Cuyahoga County Common Pleas Ct
Clerk of Court- Civil
1200 Ontario St FL1
Cleveland, OH 44113

Cuyahoga County Prosecutor
General Civil Division
1200 Ontario St FL 8
Cleveland, OH 44113

Cuyahoga County Treasurer
2079 E 9th St
Cleveland, OH 44115

David Keehan
951 Jaycox Rd
Avon, OH 44011

Dickinson Wright PLLC
attn Kenneth K. Ching
100 W Liberty St Ste 940
Reno, NV 89501

Donald J. Keehan Jr.
951 Jaycox Rd
Avon, OH 44011

Donald J. Keehan Sr.
951 Jaycox Rd
Avon, OH 44011

Durham Ridge Investments LLC
951 Jaycox Rd
Avon, OH 44011

Keehan Tennessee Investment LLC
951 Jaycox Rd
Avon, OH 44011

Keehan Trust Funding LLC
951 Jaycox Rd
Avon, OH 44011

Lorain County Court of Common Pleas
P.O. Box 749
Elyria, OH 44036-0749

Mark Simons, Esq
Simons Law
6490 S McCarran Blvd Ste 20
NV 89059

McCarthy, Lebit, Crystal & Liffman
attn Robert Kracht
101 W. Prospect Ave. St 1800
Cleveland, OH 44115

Praetorium Secured Fund I LP
9190 Double Diamond Pkwy
Reno, NV 89521

Richard Cline, Esq.
McDonald Hopkins
600 Superior Ave Ste 2100
Cleveland, OH 44114

Second Judicial District Court
Washoe County
attn Clerk of Court
75 Court St
Reno, NV 89501

**United States Bankruptcy Court
Northern District of Ohio**

In re Westlake Briar, LLC

Debtor(s)

Case No.

Chapter 11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Westlake Briar, LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

GH Holdings LLC
951 Jaycox RD
Avon, OH 44011

None [*Check if applicable*]

December 12, 2018

Date

/s/ Frederic P. Schwieg, Esq.

Frederic P. Schwieg, Esq. 0030418

Signature of Attorney or Litigant
Counsel for **Westlake Briar, LLC**

Frederic P Schwieg Attorney at Law

2705 Gibson Dr
Rocky River, OH 44116-3008
440-499-4506 Fax:440-398-0490
fschwieg@schwieglaw.com

**United States Bankruptcy Court
Northern District of Ohio**

In re Westlake Briar, LLC

Debtor(s)

Case No. _____

Chapter 11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Donald J. Keehan, Jr.**, declare under penalty of perjury that I am the **Operating Manager** of **Westlake Briar, LLC**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on December 12, 2018

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

Be It Therefore Resolved, that **Donald J. Keehan, Jr.**, **Operating Manager** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Donald J. Keehan, Jr.**, **Operating Manager** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Donald J. Keehan, Jr.**, **Operating Manager** of this Corporation is authorized and directed to employ **Frederic P. Schwieg, Esq. 0030418**, attorney and the law firm of **Frederic P Schwieg Attorney at Law** to represent the corporation in such bankruptcy case."

Date December 12, 2018Signed /s/ Donald J. Keehan Jr.
Donald J. Keehan, Jr.