

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION

Case number (if known) \_\_\_\_\_ Chapter 11

Check if this an amended filing

**Official Form 201**

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

06/24

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 the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name 437 88 LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 47-2158306

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>9322 3rd Ave</u> Suite 502 <u>Brooklyn, NY 11209</u> <small>Number, Street, City, State &amp; ZIP Code</small>	_____ <small>P.O. Box, Number, Street, City, State &amp; ZIP Code</small>
	<u>Kings</u> County	Location of principal assets, if different from principal place of business <u>437 88th Street Brooklyn, NY 11209</u> <small>Number, Street, City, State &amp; ZIP Code</small>

5. Debtor's website (URL) \_\_\_\_\_

6. Type of debtor

Corporation (Including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: \_\_\_\_\_

Debtor 437 88 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 \$3,024,725 (amount subject to adjustment on 4/01/25 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).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.
- 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 Brooklyn When 10/15/17 Case number 17-45321  
 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 See Attachment Relationship \_\_\_\_\_  
 District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_

Debtor 437 88 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 type="checkbox"/> \$50,001 - \$100,000    | <input checked="" 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 type="checkbox"/> \$1,000,001 - \$10 million             | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000    | <input checked="" 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 437 88 LLC Case number (if known) \_\_\_\_\_  
Name

**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 01/17/2025  
MM / DD / YYYY

**X**   
Signature of authorized representative of debtor

Tim Ziss  
Printed name

Title Managing Member

**18. Signature of attorney** **X** /s/KevinJ.Nash 01/17/2025  
Signature of attorney for debtor Date  
MM / DD / YYYY

Kevin Nash  
Printed name

Goldberg Weprin Finkel Goldstein LLP  
Firm name

125 Park Ave  
New York, NY 10017-5690  
Number, Street, City, State & ZIP Code

Contact phone \_\_\_\_\_ Email address knash@gwfglaw.com

NY  
Bar number and State

Debtor 437 88 LLC Case number (if known) \_\_\_\_\_  
Name

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:  
EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION

Case number (if known) \_\_\_\_\_ Chapter 11

Check if this an amended filing

**FORM 201. VOLUNTARY PETITION**  
**Pending Bankruptcy Cases Attachment**

Debtor	<u>403 LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>Eastern New York</u>	When <u>3/21/23</u>	Case number, if known <u>23-41131</u>
Debtor	<u>7614 LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>Eastern New York</u>	When <u>9/23/22</u>	Case number, if known <u>22-42336</u>

**Fill in this information to identify the case:**

Debtor name 437 88 LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud 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.**

**Declaration and signature**

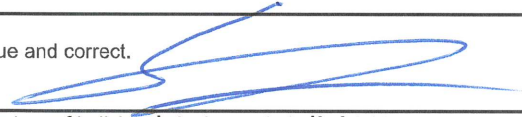
I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets—Real and Personal Property (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)
- Schedule H: Codebtors (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)
- Amended Schedule \_\_\_\_\_
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204)
- Other document that requires a declaration \_\_\_\_\_

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

Executed on 01/17/2025

X 

Signature of individual signing on behalf of debtor

Tim Ziss  
Printed name

Managing Member  
Position or relationship to debtor

## Fill in this information to identify the case:

Debtor name 437 88 LLC  
 United States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION  
 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
452 87 LLC 9322 Third Avenue, Suite 502 Brooklyn, NY 11209		Loan				\$10,500,000.00
Allied Properties 9322 3rd Ave Ste 502 Brooklyn, NY 11209-6802		Loan				\$4,790,162.77
AMOK Inc. 2906 Shell Road 6th Floor Brooklyn, NY 11224		Plumbing				\$110,926.00
ARK Builders 254 36th Street Space B428 Brooklyn, NY 11232		Mechanic's Lien	Unliquidated Disputed			\$126,232.46
Axiom Construction Corp. 9322 Third Avenue, Suite 502 Brooklyn, NY 11209		Construction				\$263,323.87
Axiom Maintenance LLC 9322 Third Avenue, Suite 502 Brooklyn, NY 11209		Contractor				\$401,044.97
BD 43788 LLC c/o Harry Zubli, Esq., 1010 Northern Blvd, Suite 306 Great Neck, NY 11021			Unliquidated Disputed	\$12,253,264.05	\$0.00	\$12,253,264.05
C Tzivas 9728 Third Avenue, Suite 360 Brooklyn, NY 11209		Loan				\$1,179,000.00

Debtor 437 88 LLC  
Name \_\_\_\_\_

Case number (if known) \_\_\_\_\_

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
CTZ Lender 9728 Thurd Avenue, Suite 360 Brooklyn, NY 11209		Loan				\$1,866,093.75
Cushman & Wakefield, Inc. 1290 Avenue of the Americas New York, NY 10104		Brokerage				\$162,805.60
Exclusive Door Co., Inc. 672 Morgan Avenue Brooklyn, NY 11222		Mechanic's Lien	Unliquidated Disputed			\$24,793.25
Exotic Design & Wire d/b/a Empire State Contractors Group 5712 2nd Avenue  Brooklyn, NY 11209		Mechanic's Lien	Unliquidated Disputed			\$1,468,959.74
EZ Fire Controls 3100 47th Avenue Long Island City, NY 11101		Services				\$27,500.00
Inner City Elevator Corp. 1101 East Gun Hill Road Bronx, NY 10465		Services				\$129,842.50
KLG Contracting Inc. 102-31 43rd Avenue Corona, NY 11368		Mechanic's Lien	Unliquidated Disputed			\$86,023.70
MT Iron Works 14-28 112th Street College Point, NY 11356		Construction				\$27,457.00
Redgrave Electrical Maintenance Inc. 201 Flamingo Street Atlantic Beach, NY 11509		Mechanic's Lien	Unliquidated Disputed			\$125,547.00
Skilled Mechanical Inc. 18-12 Astoria Parkway Astoria, NY 11102		HVAC	Unliquidated Disputed			\$187,482.00
SVN CPEX Real Estate 9920 4th Avenue Suite 315 Brooklyn, NY 11209		Brokerage				\$90,000.00
Wachtel Missry LLC 885 Seven Avenue New York, NY 10017		Legal Services	Unliquidated			\$91,951.62

Debtor 437 88 LLC  
Name \_\_\_\_\_

Case number (if known) \_\_\_\_\_

**Fill in this information to identify the case:**

Debtor name 437 88 LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

**Official Form 206Sum**  
**Summary of Assets and Liabilities for Non-Individuals**

12/15

**Part 1: Summary of Assets**

1. **Schedule A/B: Assets-Real and Personal Property** (Official Form 206A/B)
  - 1a. **Real property:**  
Copy line 88 from *Schedule A/B*..... \$ 33,300,000.00
  - 1b. **Total personal property:**  
Copy line 91A from *Schedule A/B*..... \$ 43,291,108.10
  - 1c. **Total of all property:**  
Copy line 92 from *Schedule A/B*..... \$ 76,591,108.10

**Part 2: Summary of Liabilities**

2. **Schedule D: Creditors Who Have Claims Secured by Property** (Official Form 206D)  
Copy the total dollar amount listed in Column A, *Amount of claim*, from line 3 of *Schedule D*..... \$ 12,253,264.05
3. **Schedule E/F: Creditors Who Have Unsecured Claims** (Official Form 206E/F)
  - 3a. **Total claim amounts of priority unsecured claims:**  
Copy the total claims from Part 1 from line 5a of *Schedule E/F*..... \$ 0.00
  - 3b. **Total amount of claims of nonpriority amount of unsecured claims:**  
Copy the total of the amount of claims from Part 2 from line 5b of *Schedule E/F*..... +\$ 21,723,366.72
4. **Total liabilities** ..... \$ 33,976,630.77  
Lines 2 + 3a + 3b

Debtor 437 88 LLC  
Name \_\_\_\_\_

Case number (if known) \_\_\_\_\_

**Part 12: Summary**

In Part 12 copy all of the totals from the earlier parts of the form

Type of property	Current value of personal property	Current value of real property
80. <b>Cash, cash equivalents, and financial assets.</b> <i>Copy line 5, Part 1</i>	\$5,916.10	
81. <b>Deposits and prepayments.</b> <i>Copy line 9, Part 2.</i>	\$0.00	
82. <b>Accounts receivable.</b> <i>Copy line 12, Part 3.</i>	\$0.00	
83. <b>Investments.</b> <i>Copy line 17, Part 4.</i>	\$0.00	
84. <b>Inventory.</b> <i>Copy line 23, Part 5.</i>	\$0.00	
85. <b>Farming and fishing-related assets.</b> <i>Copy line 33, Part 6.</i>	\$0.00	
86. <b>Office furniture, fixtures, and equipment; and collectibles.</b> <i>Copy line 43, Part 7.</i>	\$0.00	
87. <b>Machinery, equipment, and vehicles.</b> <i>Copy line 51, Part 8.</i>	\$0.00	
88. <b>Real property.</b> <i>Copy line 56, Part 9.....&gt;</i>		\$33,300,000.00
89. <b>Intangibles and intellectual property.</b> <i>Copy line 66, Part 10.</i>	\$0.00	
90. <b>All other assets.</b> <i>Copy line 78, Part 11.</i>	+ \$43,285,192.00	
91. <b>Total.</b> Add lines 80 through 90 for each column	\$43,291,108.10	+ 91b. \$33,300,000.00
92. <b>Total of all property on Schedule A/B.</b> Add lines 91a+91b=92		\$76,591,108.10

**Fill in this information to identify the case:**

Debtor name 437 88 LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION

Case number (if known) \_\_\_\_\_

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# Official Form 206A/B

## Schedule A/B: Assets - Real and Personal Property

12/15

Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal, equitable, or future interest. Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. Also include assets and properties which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule A/B, list any executory contracts or unexpired leases. Also list them on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G).

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the top of any pages added, write the debtor's name and case number (if known). Also identify the form and line number to which the additional information applies. If an additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.

For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting schedules, such as a fixed asset schedule or depreciation schedule, that gives the details for each asset in a particular category. List each asset only once. In valuing the debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms used in this form.

**Part 1: Cash and cash equivalents**

1. Does the debtor have any cash or cash equivalents?

- No. Go to Part 2.  
 Yes Fill in the information below.

**All cash or cash equivalents owned or controlled by the debtor**

**Current value of debtor's interest**

3. **Checking, savings, money market, or financial brokerage accounts** (Identify all)

Name of institution (bank or brokerage firm)	Type of account	Last 4 digits of account number	Current value of debtor's interest
3.1. Capital One Bank	Checking	0229	\$0.00
3.2. Dime Community Bank	Checking	2502	\$464.22
3.3. Dime Community Bank	Checking	2495	\$4,365.88
3.4. Flagstar Bank	Checking	2328	\$1,086.00

4. **Other cash equivalents** (Identify all)

5. **Total of Part 1.**

Add lines 2 through 4 (including amounts on any additional sheets). Copy the total to line 80.

\$5,916.10

**Part 2: Deposits and Prepayments**

6. Does the debtor have any deposits or prepayments?

- No. Go to Part 3.  
 Yes Fill in the information below.

Debtor 437 88 LLC  
Name

Case number (If known) \_\_\_\_\_

**Part 3: Accounts receivable**

10. Does the debtor have any accounts receivable?

- No. Go to Part 4.
- Yes Fill in the information below.

**Part 4: Investments**

13. Does the debtor own any investments?

- No. Go to Part 5.
- Yes Fill in the information below.

**Part 5: Inventory, excluding agriculture assets**

18. Does the debtor own any inventory (excluding agriculture assets)?

- No. Go to Part 6.
- Yes Fill in the information below.

**Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)**

27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

- No. Go to Part 7.
- Yes Fill in the information below.

**Part 7: Office furniture, fixtures, and equipment; and collectibles**

38. Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles?

- No. Go to Part 8.
- Yes Fill in the information below.

**Part 8: Machinery, equipment, and vehicles**

46. Does the debtor own or lease any machinery, equipment, or vehicles?

- No. Go to Part 9.
- Yes Fill in the information below.

**Part 9: Real property**

54. Does the debtor own or lease any real property?

- No. Go to Part 10.
- Yes Fill in the information below.

55. Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest

Description and location of property Include street address or other description such as Assessor Parcel Number (APN), and type of property (for example, acreage, factory, warehouse, apartment or office building, if available).	Nature and extent of debtor's interest in property	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
55.1. 437-447 88 Street Brooklyn, NY 11209		\$33,300,000.00		\$33,300,000.00

56. Total of Part 9.

Add the current value on lines 55.1 through 55.6 and entries from any additional sheets.

\$33,300,000.00

Debtor 437 88 LLC  
Name

Case number (if known) \_\_\_\_\_

Copy the total to line 88.

57. Is a depreciation schedule available for any of the property listed in Part 9?

- No  
 Yes

58. Has any of the property listed in Part 9 been appraised by a professional within the last year?

- No  
 Yes

**Part 10: Intangibles and intellectual property**

59. Does the debtor have any interests in intangibles or intellectual property?

- No. Go to Part 11.  
 Yes Fill in the information below.

**Part 11: All other assets**

70. Does the debtor own any other assets that have not yet been reported on this form?

Include all interests in executory contracts and unexpired leases not previously reported on this form.

- No. Go to Part 12.  
 Yes Fill in the information below.

**Current value of debtor's interest**

71. **Notes receivable**

Description (include name of obligor)

72. **Tax refunds and unused net operating losses (NOLs)**

Description (for example, federal, state, local)

73. **Interests in insurance policies or annuities**

74. **Causes of action against third parties (whether or not a lawsuit has been filed)**

Exotic Design & Wire d/b/a Empire State Contractors Group - claim against general contractor for delay, faulty work, misappropriation of construction funds

\$12,000,000.00

**Nature of claim** Contractor

**Amount requested** \$12,000,000.00

Ark Builders Corp. and A Constriction NY Inc. for improper construction work

\$2,500,000.00

**Nature of claim** Construction

**Amount requested** \$2,500,000.00

Great Lackses Insurance - Claim for disclaiming liability for insurance claim for damages under Builders Risk Policy, including \$2,356,760.55 for building damage and \$1,628,432.00 for soft costs and consequential damages in the sum of at least \$12,300,000.00

\$16,285,192.00

**Nature of claim** Insurance

**Amount requested** \$16,285,192.00

C21 BK Home LLC claim for underpinning Debtor's property without consent and creating a permanent encroachment.

\$12,500,000.00

**Nature of claim** Quiet Title/Trespass

**Amount requested** \$10,000,000.00

Debtor 437 88 LLC  
Name

Case number (If known) \_\_\_\_\_

Claim against BD 42788 LLC, Dime Bank, Sal Trifeletti of the Dime and Cullen & Dykman for breach of good faith and fair dealing with respect to loan.

Unknown

Nature of claim \_\_\_\_\_  
Amount requested \$0.00

75. **Other contingent and unliquidated claims or causes of action of every nature, including counterclaims of the debtor and rights to set off claims**

76. **Trusts, equitable or future interests in property**

77. **Other property of any kind not already listed** *Examples: Season tickets, country club membership*

78. **Total of Part 11.**

Add lines 71 through 77. Copy the total to line 90.

\$43,285,192.00

79. **Has any of the property listed in Part 11 been appraised by a professional within the last year?**

- No
- Yes

Debtor 437 88 LLC  
Name

Case number (if known) \_\_\_\_\_

**Part 12: Summary**

In Part 12 copy all of the totals from the earlier parts of the form

Type of property	Current value of personal property	Current value of real property
80. <b>Cash, cash equivalents, and financial assets.</b> <i>Copy line 5, Part 1</i>	\$5,916.10	
81. <b>Deposits and prepayments.</b> <i>Copy line 9, Part 2.</i>	\$0.00	
82. <b>Accounts receivable.</b> <i>Copy line 12, Part 3.</i>	\$0.00	
83. <b>Investments.</b> <i>Copy line 17, Part 4.</i>	\$0.00	
84. <b>Inventory.</b> <i>Copy line 23, Part 5.</i>	\$0.00	
85. <b>Farming and fishing-related assets.</b> <i>Copy line 33, Part 6.</i>	\$0.00	
86. <b>Office furniture, fixtures, and equipment; and collectibles.</b> <i>Copy line 43, Part 7.</i>	\$0.00	
87. <b>Machinery, equipment, and vehicles.</b> <i>Copy line 51, Part 8.</i>	\$0.00	
88. <b>Real property.</b> <i>Copy line 56, Part 9.....&gt;</i>		\$33,300,000.00
89. <b>Intangibles and intellectual property.</b> <i>Copy line 66, Part 10.</i>	\$0.00	
90. <b>All other assets.</b> <i>Copy line 78, Part 11.</i>	+ \$43,285,192.00	
91. <b>Total.</b> Add lines 80 through 90 for each column	\$43,291,108.10	+ 91b. \$33,300,000.00
92. <b>Total of all property on Schedule A/B.</b> Add lines 91a+91b=92		\$76,591,108.10

**Fill in this information to identify the case:**

Debtor name 437 88 LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

**Official Form 206D**

**Schedule D: Creditors Who Have Claims Secured by Property**

12/15

Be as complete and accurate as possible.

**1. Do any creditors have claims secured by debtor's property?**

- No. Check this box and submit page 1 of this form to the court with debtor's other schedules. Debtor has nothing else to report on this form.
- Yes. Fill in all of the information below.

**Part 1: List Creditors Who Have Secured Claims**

2. List in alphabetical order all creditors who have secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim.

		Column A	Column B	
		Amount of claim	Value of collateral that supports this claim	
		Do not deduct the value of collateral.		
2.1	<b>BD 43788 LLC</b> <small>Creditor's Name</small> c/o Harry Zubli, Esq., 1010 Northern Blvd, Suite 306 Great Neck, NY 11021 <small>Creditor's mailing address</small>  <small>Creditor's email address, if known</small>  Date debt was incurred  Last 4 digits of account number  Do multiple creditors have an interest in the same property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Specify each creditor, including this creditor and its relative priority.	<small>Describe debtor's property that is subject to a lien</small>   <small>Describe the lien</small> <b>Mortgage</b> Is the creditor an insider or related party? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is anyone else liable on this claim? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Fill out <i>Schedule H: Codebtors</i> (Official Form 206H)  As of the petition filing date, the claim is: Check all that apply <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed	<b>\$12,253,264.05</b>	<b>\$0.00</b>

3. Total of the dollar amounts from Part 1, Column A, including the amounts from the Additional Page, if any. \$12,253,264.05

**Part 2: List Others to Be Notified for a Debt Already Listed in Part 1**

List in alphabetical order any others who must be notified for a debt already listed in Part 1. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for secured creditors.

If no others need to be notified for the debts listed in Part 1, do not fill out or submit this page. If additional pages are needed, copy this page.

Name and address	On which line in Part 1 did you enter the related creditor?	Last 4 digits of account number for this entity
Dime Community Bank 898 Veterans Memorial Highway Hauppauge, NY 11788	Line <u>2.1</u>	

**Fill in this information to identify the case:**

Debtor name 437 88 LLC  
 United States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION  
 Case number (if known) \_\_\_\_\_

Check if this is an amended filing

**Official Form 206E/F**  
**Schedule E/F: Creditors Who Have Unsecured Claims**

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY unsecured claims and Part 2 for creditors with NONPRIORITY unsecured claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on Schedule A/B: Assets - Real and Personal Property (Official Form 206A/B) and on Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G). Number the entries in Parts 1 and 2 in the boxes on the left. If more space is needed for Part 1 or Part 2, fill out and attach the Additional Page of that Part included in this form.

**Part 1: List All Creditors with PRIORITY Unsecured Claims**

1. Do any creditors have priority unsecured claims? (See 11 U.S.C. § 507).

- No. Go to Part 2.  
 Yes. Go to line 2.

2. List in alphabetical order all creditors who have unsecured claims that are entitled to priority in whole or in part. If the debtor has more than 3 creditors with priority unsecured claims, fill out and attach the Additional Page of Part 1.

Total claim Priority amount

2.1	Priority creditor's name and mailing address <u>Internal Revenue Service Centralized Insolvency Operations PO Box 7346 Philadelphia, PA 19101-7346</u>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed	<u>Unknown</u>	<u>\$0.00</u>
-----	---	--	----------------	---------------

Date or dates debt was incurred \_\_\_\_\_

Basis for the claim:  
For notice purposes

Last 4 digits of account number \_\_\_\_\_

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)

- No  
 Yes

2.2	Priority creditor's name and mailing address <u>NYC Dept of Finance Legal Affairs, Collection Unit 375 Pearl St, Apt 30 New York, NY 10038</u>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed	<u>Unknown</u>	<u>\$0.00</u>
-----	---	--	----------------	---------------

Date or dates debt was incurred \_\_\_\_\_

Basis for the claim:  
For notice purposes

Last 4 digits of account number \_\_\_\_\_

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)

- No  
 Yes

2.3	Priority creditor's name and mailing address <u>NYS Department of Taxation Bankruptcy/Special Procedure PO Box 5300 Albany, NY 12205</u>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed	<u>Unknown</u>	<u>\$0.00</u>
-----	---	--	----------------	---------------

Date or dates debt was incurred \_\_\_\_\_

Basis for the claim:  
For notice purposes

Last 4 digits of account number \_\_\_\_\_

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)

- No  
 Yes

**Part 2: List All Creditors with NONPRIORITY Unsecured Claims**

3. List in alphabetical order all of the creditors with nonpriority unsecured claims. If the debtor has more than 6 creditors with nonpriority unsecured claims, fill

Debtor 437 88 LLC Case number (if known) \_\_\_\_\_  
Name

out and attach the Additional Page of Part 2.

		Amount of claim
<b>3.1</b>	<b>Nonpriority creditor's name and mailing address</b> 452 87 LLC 9322 Third Avenue, Suite 502 Brooklyn, NY 11209  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>Loan</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes  <span style="float: right;"><u>\$10,500,000.00</u></span>
<b>3.2</b>	<b>Nonpriority creditor's name and mailing address</b> Allied Properties 9322 3rd Ave Ste 502 Brooklyn, NY 11209-6802  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>Loan</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes  <span style="float: right;"><u>\$4,790,162.77</u></span>
<b>3.3</b>	<b>Nonpriority creditor's name and mailing address</b> AMOK Inc. 2906 Shell Road 6th Floor Brooklyn, NY 11224  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>Plumbing</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes  <span style="float: right;"><u>\$110,926.00</u></span>
<b>3.4</b>	<b>Nonpriority creditor's name and mailing address</b> ARK Builders 254 36th Street Space B428 Brooklyn, NY 11232  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>Mechanic's Lien</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes  <span style="float: right;"><u>\$126,232.46</u></span>
<b>3.5</b>	<b>Nonpriority creditor's name and mailing address</b> Axiom Construction Corp. 9322 Third Avenue, Suite 502 Brooklyn, NY 11209  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>Construction</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes  <span style="float: right;"><u>\$263,323.87</u></span>
<b>3.6</b>	<b>Nonpriority creditor's name and mailing address</b> Axiom Maintenance LLC 9322 Third Avenue, Suite 502 Brooklyn, NY 11209  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>Contractor</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes  <span style="float: right;"><u>\$401,044.97</u></span>
<b>3.7</b>	<b>Nonpriority creditor's name and mailing address</b> C Tzivas 9728 Third Avenue, Suite 360 Brooklyn, NY 11209  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>Loan</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes  <span style="float: right;"><u>\$1,179,000.00</u></span>

Debtor	<u>437 88 LLC</u>	Case number (if known)	
	Name		
<b>3.8</b>	<b>Nonpriority creditor's name and mailing address</b> Consolidated Edison 4 Irving Pl Rm 1800 New York, NY 10003-3502  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: _ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>Unknown</u>
<b>3.9</b>	<b>Nonpriority creditor's name and mailing address</b> CTZ Lender 9728 Thurd Avenue, Suite 360 Brooklyn, NY 11209  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: <u>Loan</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$1,866,093.75</u>
<b>3.10</b>	<b>Nonpriority creditor's name and mailing address</b> Cushman & Wakefield, Inc. 1290 Avenue of the Americas New York, NY 10104  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: <u>Brokerage</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$162,805.60</u>
<b>3.11</b>	<b>Nonpriority creditor's name and mailing address</b> Dina Noaman c/o Mark R. Bernstein 100 Garden City Plaza, Suite 500 Garden City, NY 11530  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  Basis for the claim: <u>Personal injury</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>Unknown</u>
<b>3.12</b>	<b>Nonpriority creditor's name and mailing address</b> Exclusive Door Co., Inc. 672 Morgan Avenue Brooklyn, NY 11222  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  Basis for the claim: <u>Mechanic's Lien</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$24,793.25</u>
<b>3.13</b>	<b>Nonpriority creditor's name and mailing address</b> Exotic Design & Wire d/b/a Empire State Contractors Group 5712 2nd Avenue  Brooklyn, NY 11209  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  Basis for the claim: <u>Mechanic's Lien</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$1,468,959.74</u>
<b>3.14</b>	<b>Nonpriority creditor's name and mailing address</b> EZ Fire Controls 3100 47th Avenue Long Island City, NY 11101  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: <u>Services</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$27,500.00</u>
<b>3.15</b>	<b>Nonpriority creditor's name and mailing address</b> Inner City Elevator Corp. 1101 East Gun Hill Road Bronx, NY 10465  Date(s) debt was incurred _ Last 4 digits of account number _	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: <u>Services</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$129,842.50</u>

Debtor	<u>437 88 LLC</u>	Case number (if known)	_____
	Name		
<b>3.16</b>	<b>Nonpriority creditor's name and mailing address</b> KLG Contracting Inc. 102-31 43rd Avenue Corona, NY 11368  Date(s) debt was incurred __ Last 4 digits of account number __	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  Basis for the claim: <u>Mechanic's Lien</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$86,023.70</u>
<b>3.17</b>	<b>Nonpriority creditor's name and mailing address</b> Lerner, Arnold & Winston LLC 286 Fifth Avenue, 12th Floor New York, NY 10001  Date(s) debt was incurred __ Last 4 digits of account number __	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: <u>Legal Services</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>Unknown</u>
<b>3.18</b>	<b>Nonpriority creditor's name and mailing address</b> Metro Atlantic Construction Corp. 463 72nd Street Brooklyn, NY 11209  Date(s) debt was incurred __ Last 4 digits of account number __	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  Basis for the claim: <u>Mechanic's Lien</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$12,287.00</u>
<b>3.19</b>	<b>Nonpriority creditor's name and mailing address</b> MT Iron Works 14-28 112th Street College Point, NY 11356  Date(s) debt was incurred __ Last 4 digits of account number __	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: <u>Construction</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$27,457.00</u>
<b>3.20</b>	<b>Nonpriority creditor's name and mailing address</b> National Grid 1 Metrotech Ctr Fl 16 Brooklyn, NY 11201-3949  Date(s) debt was incurred __ Last 4 digits of account number __	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: __ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>Unknown</u>
<b>3.21</b>	<b>Nonpriority creditor's name and mailing address</b> NYC Water Board Attn: Andrew Rettig, Assistant Counsel 59-17 Junction Blvd., 13th Floor  Elmhurst, NY 11373-5108  Date(s) debt was incurred __ Last 4 digits of account number __	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  Basis for the claim: <u>Utility</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>Unknown</u>
<b>3.22</b>	<b>Nonpriority creditor's name and mailing address</b> Redgrave Electrical Maintenance Inc. 201 Flamingo Street Atlantic Beach, NY 11509  Date(s) debt was incurred __ Last 4 digits of account number __	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  Basis for the claim: <u>Mechanic's Lien</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>\$125,547.00</u>
<b>3.23</b>	<b>Nonpriority creditor's name and mailing address</b> Richard Klass, Esq. 16 Court Street Brooklyn, NY 11241  Date(s) debt was incurred __ Last 4 digits of account number __	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i>  <input type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: <u>Legal Services</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>Unknown</u>

Debtor 437 88 LLC Case number (if known) \_\_\_\_\_  
 Name \_\_\_\_\_

**3.24** Nonpriority creditor's name and mailing address S&K Distribution LLC As of the petition filing date, the claim is: *Check all that apply.* \$23,019.30  
d/b/a New Castle Building Products  
201 West John Street  
Hicksville, NY 11801  
 Date(s) debt was incurred \_\_\_\_\_  
 Last 4 digits of account number \_\_\_\_\_  
 Contingent  
 Unliquidated  
 Disputed  
 Basis for the claim: Mechanic's Lien  
 Is the claim subject to offset?  No  Yes

**3.25** Nonpriority creditor's name and mailing address Skilled Mechanical Inc. As of the petition filing date, the claim is: *Check all that apply.* \$187,482.00  
18-12 Astoria Parkway  
Astoria, NY 11102  
 Date(s) debt was incurred \_\_\_\_\_  
 Last 4 digits of account number \_\_\_\_\_  
 Contingent  
 Unliquidated  
 Disputed  
 Basis for the claim: HVAC  
 Is the claim subject to offset?  No  Yes

**3.26** Nonpriority creditor's name and mailing address SVN CPEX Real Estate As of the petition filing date, the claim is: *Check all that apply.* \$90,000.00  
9920 4th Avenue  
Suite 315  
Brooklyn, NY 11209  
 Date(s) debt was incurred \_\_\_\_\_  
 Last 4 digits of account number \_\_\_\_\_  
 Contingent  
 Unliquidated  
 Disputed  
 Basis for the claim: Brokerage  
 Is the claim subject to offset?  No  Yes

**3.27** Nonpriority creditor's name and mailing address Sweeney Reich Bolz LLP As of the petition filing date, the claim is: *Check all that apply.* \$10,465.00  
1981 Marcus Avenue, Suite 200  
New Hyde Park, NY 11042  
 Date(s) debt was incurred \_\_\_\_\_  
 Last 4 digits of account number \_\_\_\_\_  
 Contingent  
 Unliquidated  
 Disputed  
 Basis for the claim: \_\_\_\_\_  
 Is the claim subject to offset?  No  Yes

**3.28** Nonpriority creditor's name and mailing address Tuttle Yick LLP As of the petition filing date, the claim is: *Check all that apply.* \$18,449.19  
352 Seventh Avenue, 14th Floor  
New York, NY 10001  
 Date(s) debt was incurred \_\_\_\_\_  
 Last 4 digits of account number \_\_\_\_\_  
 Contingent  
 Unliquidated  
 Disputed  
 Basis for the claim: Legal Services  
 Is the claim subject to offset?  No  Yes

**3.29** Nonpriority creditor's name and mailing address Wachtel Missry LLC As of the petition filing date, the claim is: *Check all that apply.* \$91,951.62  
885 Seven Avenue  
New York, NY 10017  
 Date(s) debt was incurred \_\_\_\_\_  
 Last 4 digits of account number \_\_\_\_\_  
 Contingent  
 Unliquidated  
 Disputed  
 Basis for the claim: Legal Services  
 Is the claim subject to offset?  No  Yes

**Part 3: List Others to Be Notified About Unsecured Claims**

4. List in alphabetical order any others who must be notified for claims listed in Parts 1 and 2. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for unsecured creditors.

If no others need to be notified for the debts listed in Parts 1 and 2, do not fill out or submit this page. If additional pages are needed, copy the next page.

Name and mailing address	On which line in Part1 or Part 2 is the related creditor (if any) listed?	Last 4 digits of account number, if any
4.1 NYC Dept of Law Attn: Bernadette Brennan, Esq. 100 Church St Rm 5-233 New York, NY 10007-2601	Line <u>2.2</u>  <input type="checkbox"/> Not listed. Explain _____	—

Debtor 437 88 LLC  
Name

Case number (if known) \_\_\_\_\_

Name and mailing address

On which line in Part 1 or Part 2 is the related creditor (if any) listed? Last 4 digits of account number, if any

4.2 NYS Attorney General  
 28 Liberty St  
 New York, NY 10005-1400

Line 2,3 -  
 Not listed. Explain \_\_\_\_\_

**Part 4: Total Amounts of the Priority and Nonpriority Unsecured Claims**

5. Add the amounts of priority and nonpriority unsecured claims.

5a. Total claims from Part 1  
 5b. Total claims from Part 2  
 5c. Total of Parts 1 and 2  
Lines 5a + 5b = 5c.

		Total of claim amounts
5a.	\$	0.00
5b.	+	21,723,366.72
5c.	\$	21,723,366.72

**Fill in this information to identify the case:**

Debtor name 437 88 LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

**Official Form 206G**

**Schedule G: Executory Contracts and Unexpired Leases**

12/15

Be as complete and accurate as possible. If more space is needed, copy and attach the additional page, number the entries consecutively.

**1. Does the debtor have any executory contracts or unexpired leases?**

No. Check this box and file this form with the debtor's other schedules. There is nothing else to report on this form.

Yes. Fill in all of the information below even if the contacts of leases are listed on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B).

**2. List all contracts and unexpired leases**

**State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease**

2.1. State what the contract or lease is for and the nature of the debtor's interest      Part of first floor and all of second floor at 437 88th Street, Brooklyn, NY

State the term remaining      15 years

List the contract number of any government contract      NYU Grossman School of Medicine

**Fill in this information to identify the case:**

Debtor name 437 88 LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, BROOKLYN DIVISION

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

**Official Form 206H  
Schedule H: Your Codebtors**

12/15

Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page.

**1. Do you have any codebtors?**

- No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form.
- Yes

**2. In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, Schedules D-G.** Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2.

Column 1: Codebtor

Column 2: Creditor

	Name	Mailing Address	Name	Check all schedules that apply:
2.1	C21 BK Home LLC	c/o Deidre Egan, Esq. 55 Washington Street, Suite 720 Brooklyn, NY 11201	Dina Noaman	<input type="checkbox"/> D _____ <input checked="" type="checkbox"/> E/F <u>3.11</u> <input type="checkbox"/> G _____
2.2	Tim Ziss	9322 3rd Ave Ste 502 Brooklyn, NY 11209-6802	BD 43788 LLC	<input checked="" type="checkbox"/> D <u>2.1</u> <input type="checkbox"/> E/F _____ <input type="checkbox"/> G _____