

Fill in this information to identify the case:

United States Bankruptcy Court for the:

District of Columbia

(State)

Case number (if known): _____

Chapter 11

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

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 1106 Montello 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) 47-1586429

4. Debtor's address Principal place of business

1108 Montello Avenue, NE

Number

Street

Washington, DC 20002

City

State

Zip Code

Mailing address, if different from principal place of business

Number

Street

City

State

Zip Code

Second mailing address, if applicable

USA

County

Number

Street

City

State

Zip Code

5. Debtor's website (URL) N/A

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor 1106 Montello 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 – Real Estate

8. Under which chapter of the Bankruptcy Code is the debtor filing?*Check One:*

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11. *Check all that apply:*

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1). Its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000 **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any 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

Debtor 1106 Montello LLC
Name

Case number (if known) _____

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?☒ No
☐ Yes.

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.

Debtor _____

Relationship _____

District _____

When _____

MM / DD / YYYY

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

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 for distribution to unsecured creditors.

14. Estimated number of creditors¹

- | | | |
|--|--|--|
| <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"/> 5,001-10,000 | <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 | | |

¹ The estimated number of creditors and estimated amounts of assets, and liabilities, are being listed on a consolidated basis for all Debtor affiliates listed on Rider 1, attached hereto.

Debtor **1106 Montello LLC**
Name

Case number (if known)

- 15. Estimated assets**
- | | | |
|--|--|--|
| <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 |
- 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 |

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 08/12/2021
MM/ DD / YYYY

X /s/ Justin Thornton Justin Thornton
Signature of authorized representative of debtor Printed name

Title Managing Member

18. Signature of attorney

X /s/ Craig Young Date 08/12/2021
Signature of attorney for debtor MM/ DD/YYYY

Craig Young
Printed name
Kutak Rock LLP
Firm name
1625 Eye Street, NW, Suite 800
Number Street
Washington DC 20006
City State ZIP Code
(202) 828-2328 craig.young@kutakrock.com
Contact phone Email address
379788 DC
Bar number State

RESOLUTION OF 1106 Montello, L.L.C.

I, Justin Thornton, managing member of 1106 Montello, L.L.C. (the "Company"), and acting pursuant to Chapter 8 of the Code of the District of Columbia, consent to the adoption of the following resolutions:

WHEREAS, it is determined to be desirable and in the best interests of the Company that it file a voluntary petition for relief under the provisions of Chapter 11 of the Bankruptcy Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code") in the United States Bankruptcy Court for the District of Columbia.

NOW, THEREFORE, BE IT RESOLVED, that Justin Thornton, managing member of the Company (the "Manager"), is authorized and empowered to execute and file on behalf of the Company all petitions, schedules, lists, motions, applications, pleadings and other papers or documents as necessary to commence the case and obtain chapter 11 relief and to take any and all further acts and deeds that he deems necessary, proper and desirable in connection with the chapter 11 case;

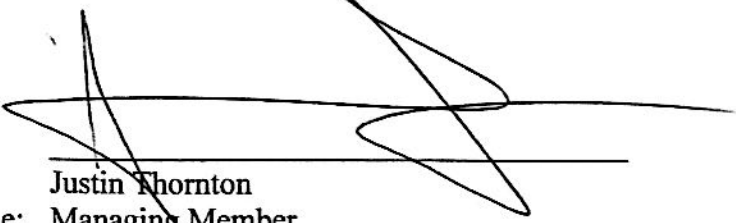
FURTHER RESOLVED, that the Manager is authorized and directed to employ the law firm of Kutak Rock LLP as general bankruptcy counsel to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations, including filing any pleadings; and in connection with such representation, the Manager is authorized and directed to execute appropriate engagement agreements, pay appropriate retainers prior to and immediately upon filing of the chapter 11 case;

FURTHER RESOLVED, that in addition to the specific authorizations conferred upon the Manager, each of his designees shall be authorized, directed and empowered, in the name of, and on behalf of, the Company, to take or cause to be taken any and all such further actions, to execute and deliver any and all such agreements, certificates, instruments and other documents and to pay all expenses, including filing fees, in each case as in the Manager's judgment shall be necessary or desirable to fully carry out the intent and accomplish the purposes of the resolutions adopted herein; and

FURTHER RESOLVED, that all acts lawfully done or actions lawfully taken or to be taken by the Manager in connection with the implementation of these resolutions are hereby in all respects ratified, confirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this Certificate as of the 11th day of August, 2021.

By:



Justin Thornton

Title: Managing Member

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA**

In re:)	
)	Chapter 11
1106 MONTELLO LLC,)	
)	Case No. 21-_____(ELG)
Debtor.)	
)	

LIST OF CREDITORS AND MAILING MATRIX

1. The attached list, serving both as the list required by Rule 1007(a)(1) of the Federal Rules of Bankruptcy Procedure and as the mailing matrix required by the Court's Local Bankruptcy Rules, consists of 1 page and a total of 5 entities listed.

2. Pursuant to Local Bankruptcy Rule 1007-4(b), also included herein is a listing of the names and addresses of the Debtor's Equity Security Holder(s), which would be required to be included in a separate list pursuant to Rule 1007(a)(3) of the Federal Rules of Bankruptcy Procedure.

3. The attached list contains a true and correct name and address of:

a. each of the Debtor's creditors (those entities required to be scheduled on Schedules D, and E/F, the Schedules of Creditors Holding Claims, in this case);

b. each of the parties required to be listed on Schedule G – Executory Contracts and Unexpired Leases, that is, the parties other than the Debtor, to any unexpired lease of real or personal property to which the Debtor is a party; and

c. each entity required to be listed on Schedule H – Codebtors (any entity that is also liable on any debts owed to any of the listed creditors, including all guarantors and co-signers).

I declare under penalty of perjury that the foregoing is true and correct, to the best of my personal knowledge.

Executed on this 12th day of August, 2021 by:

1106 MONTELLO LLC

/s/ Justin Thornton

By: Justin Thornton, Managing Member

2PLYS LLC
43414 Mountcastle Drive
South Riding, VA 20152

ALPHA IX LLC
4113 Locust Lane
Fairfax, VA 22030

Churchill Finance LLC
101 W. Worthington Avenue
Suite 240
Charlotte, NC 28203

Navigator Private Capital, LLC
1910 Towne Centre Blvd.
Suite 250
Annapolis, MD 21401

Tatanene Nsindu
411 D. Street
Unit 513
Boston, MA 02210

Justin Thornton
1108 Montello Avenue, N.E.
Washington, DC 20002

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA**

In re:

1106 MONTELLO LLC,

Debtor.

Chapter 11

Case No. 21-_____(ELG)

LIST OF EQUITY SECURITY HOLDERS¹

Debtor	Equity Holders	Address of Equity Holder	Percentage of Equity Held
1106 Montello LLC	Justin Thornton	1108 Montello Avenue NE, Washington, DC 20002	100%

¹ This list serves as the disclosure required to be made by the debtor pursuant to rule 1007 of the Federal Rules of Bankruptcy Procedure. All equity positions listed are as of the date of commencement of the chapter 11 case.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
In re:)	Chapter 11
)	
1106 MONTELLO LLC,)	Case No. 21-_____(ELG)
)	
Debtor.)	
_____)	

CORPORATE OWNERSHIP STATEMENT

Pursuant to rules 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure, the following are corporations, other than a government unit, that directly or indirectly own 10% or more of any class of the debtor's equity interest:

NONE

Fill in this information to identify the case:

Debtor name 1106 MONTELLO LLC
 United States Bankruptcy Court for the: District of Columbia District of _____
 (State)
 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 the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured 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
1	Navigator Private Capital, LLC 1910 Towne Centre Blvd. Suite 250 Annapolis, MD 21401	Rick Rall 410-299-5150	Bank Loan	Disputed	\$2,400,000.00	\$1,900,000.00	\$500,000.00
2	ALPHA IX LLC 4113 Locust Lane Fairfax, VA 22030	Ali Hirji 703-225-8774	Loan				\$270,000.00
3	Tatanene Nsindu 411 D. Street, Unit 513 Boston, MA 02210	Tatanene Nsindu 202-270-7963	Loan				\$253,500.00
4	Churchill Finance LLC 101 W. Worthington Ave., Ste. 240 Charlotte, NC 28203	Brandon Hernandez 980-299-0562	Loan				\$180,000.00
5	2PLYS LLC 43414 Mountcastle Dr. South Riding, VA 20152	Adam Crain 540-818-5087	Architectural Services				\$28,975.00
6							
7							
8							

Fill in this information to identify the case and this filing:	
Debtor Name	1106 Montello LLC
United States Bankruptcy Court for the:	District of Columbia
	(State)
Case number (If known):	

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 **List of Equity Security Holders and Corporate Ownership Statement**

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

Executed on

08/12/2021
MM/ DD/YYYY

☒ **/s/ Justin Thornton**

Signature of individual signing on behalf of debtor

Justin Thornton

Printed name

Managing Member

Position or relationship to debtor