

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

United States Bankruptcy Court for the:  
 SOUTHERN DISTRICT OF NEW YORK

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

Check if this an amended filing

# Official Form 201 Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

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 NYLC LLC

2. All other names debtor used in the last 8 years  
 Include any assumed names, trade names and doing business as names DBA Le Cirque

3. Debtor's federal Employer Identification Number (EIN) 20-2239101

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>151 EAST 58TH STREET</u> <u>New York, NY 10019</u> <small>Number, Street, City, State &amp; ZIP Code</small>	_____ <small>P.O. Box, Number, Street, City, State &amp; ZIP Code</small>
	<u>New York</u> <small>County</small>	_____ <small>Location of principal assets, if different from principal place of business</small> _____ <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 **NYLC 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>.

\_\_\_\_\_

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 <b>See Attachment</b>	Relationship _____
District _____	When _____ Case number, if known _____

Debtor NYLC 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

1-49

50-99

100-199

200-999

1,000-5,000

5001-10,000

10,001-25,000

25,001-50,000

50,001-100,000

More than 100,000

15. Estimated Assets

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

16. Estimated liabilities

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

Debtor **NYLC 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**

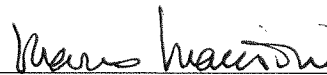
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

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.

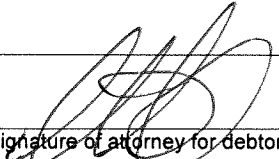
I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3/24/2017  
MM/DD/YYYY

X   
Signature of authorized representative of debtor  
Title Managing Member

Marco Maccioni  
Printed name

**18. Signature of attorney**

X   
Signature of attorney for debtor

Date 3/24/17  
MM/DD/YYYY

A. MITCHELL GREENE  
Printed name

ROBINSON BROG LEINWAND GREENE GENOVESE & GLUCK P.C.  
Firm name

875 THIRD AVENUE  
New York, NY 10022  
Number, Street, City, State & ZIP Code

Contact phone (212) 603-6300 Email address \_\_\_\_\_

Bar number and State \_\_\_\_\_

Debtor **NYLC LLC**  
Name

Case number (if known)

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

United States Bankruptcy Court for the:  
SOUTHERN DISTRICT OF NEW YORK

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

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

Debtor	<b>RESTAURANT SATIMBANCO INC.</b>	Relationship to you	<b>AFFILIATE</b>
District	<b>SOUTHERN DISTRICT OF NEW YORK</b>	When <b>3/24/17</b>	Case number, if known _____
Debtor	<b>SALTIMBANCO, LLC</b>	Relationship to you	<b>AFFILIATE</b>
District	<b>SOUTHERN DISTRICT OF NEW YORK</b>	When <b>3/24/17</b>	Case number, if known _____

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11

**NYLC LLC D/B/A LE CIRQUE**

Case No.

Debtor.

-----X

**CERTIFICATION OF RESOLUTION**

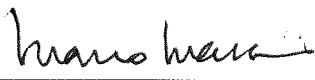
I, the undersigned, Marco Maccioni, as Managing Member of NYLC LLC d/b/a Le Cirque (the “Company”), do hereby certify that at a meeting of the Company duly called and held on **March 24, 2017**, the following resolutions were adopted and recorded in the Minute Book of the Company, and they have not been modified or rescinded, and are still in full force and effect:

**“RESOLVED**, that in the judgment of the Company it is desirable and in the best interest of the Company, its creditors, partners and other interested parties, that a petition be filed by the Company for relief under Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”); and it is further

**“RESOLVED**, that the form of petition under Chapter 11 presented to this meeting is approved and adopted in all respects, and that Marco Maccioni, as Managing Member of the Company, is authorized to execute and verify a petition substantially in such form and to cause the same to be filed with the United States Bankruptcy Court for the Southern District of New York at such time as he shall determine; and it is further

**“RESOLVED**, that Marco Maccioni, as Managing Member of the Company, is authorized to execute and file all petitions, reorganization schedules, lists and other papers and to take any and all other actions which he may deem necessary or proper in connection with such Chapter 11 case, and, in that connection, that the firm of Robinson Brog Leinwand Greene Genovese & Gluck P.C. be retained and employed as legal counsel for the Company under a general retainer, in addition to such special counsel as may hereafter become necessary or proper with a view to the successful conclusion of such Chapter 11 case.”

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Company this  
**24<sup>th</sup>** day of **March, 2017**.

By:   
**Marco Maccioni**  
**Managing Member**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In re: Chapter 11

**NYLC LLC D/B/A LE CIRQUE** Case No.

Debtor.

-----X

**AFFIDAVIT PURSUANT TO LOCAL RULE 1007-2**

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NEW YORK )

**Marco Maccioni**, being duly sworn, deposes and says:

1. I am the managing member of **NYLC LLC d/b/a Le Cirque** (the “Debtor”), and am fully familiar with the facts set forth herein.

2. The Debtor operates a renowned restaurant in the Bloomberg Building on East 59<sup>th</sup> Street, New York, New York.

3. No pre-petition committee was organized prior to the Order for relief.

4. The Debtor has no secured creditors..

5. A summary of the Debtor's assets and liabilities will be set forth on the summary of schedules to be filed.

6. The names and addresses of the twenty largest unsecured creditors, excluding insiders, appears on Exhibit “A” to this affidavit.

7. All suits or proceedings in which the Debtor is named as a party will be listed in the Debtor’s Statement of Financial Affairs to be filed.

8. No property of the Debtor is in the possession and control of a receiver for the benefit of mortgagees and creditors.



9. The Debtor's financial condition was precipitated by an increase in expenses, including, among other things, expenses related to payroll that could not be sustained by the Debtor's current operations. The Debtor was in the process of reducing expenses, however, despite its recent efforts, it was not able to maintain its obligations under its lease with 731 Commercial LLC ("731 Commercial") causing 731 Commercial to notice the Debtor with a default under the lease.

10. The purpose of filing this petition is to preserve the assets of the Debtor for the benefit of the creditors and to preserve priorities of creditors.

11. The estimated operating expense of the Debtor for the next **thirty days** is:

**INCOME**

**Total Estimated Income: \$400,000**

**EXPENSES**

Costs - Food	\$66,500
Costs - Wine	\$21,624
Costs - Liquor/Beer	\$7,827
Kitchen - Payroll	\$74,859
Service - Payroll	\$32,823
Officers' Compensation	\$10,417
Dishwashing - Payroll	\$26,903
P/R Taxes/ Empl Benefits	\$19,532
Occupancy	\$94,735
Operating Expenses	\$23,720
Utilities	\$25,681
Administrative and General	\$25,000
Repairs & Maintenance	\$6,930
Credit Card Commissions	\$10,872
Banquet Expenses	\$15,662
Public Relations/Marketing	\$500

**Total Estimated Expenses: \$463,586**

**NET INCOME: \$(63,586)**

*Marco Maccioni*

**Marco Maccioni**  
**Managing Member**

Sworn to before me this  
**24th** day of **March, 2017**

*Avron I. Brog*

**Notary Public, State of New York**

**AVRON I. BROG**  
Notary Public, State of New York  
No. 02BR0431200  
Qualified in New York County  
Commission Expires Aug. 31, 20 *17*