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TERRA'S KITCHEN, LLC
7

8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10
11 MATTHEW LOPEZ, Individually and
on behalf of all others similarly situated,

12 Plaintiff,

13 v.
14

TERRA'S KITCHEN, LLC,

15 Defendant.
16

Case No. 18cv842-MMA (JLB)

**NOTICE OF SUGGESTION OF
BANKRUPTCY FOR TERRA'S
KITCHEN, LLC, AND
AUTOMATIC STAY OF
PROCEEDINGS**

The Honorable Michael M. Anello

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1 **PLEASE TAKE NOTICE** that, on September 24, 2019, Terra’s Kitchen, LLC
2 (the “Debtor”) filed a voluntary petition for relief under Chapter 7 of the United States
3 Bankruptcy Code, in the United States Bankruptcy Court for the District of Maryland
4 (the “Bankruptcy Court”). The Debtor’s chapter 7 case was assigned Case Number 19-
5 22733 and assigned to Judge David E. Rice. A copy of the voluntary petition is
6 attached as Exhibit A.

7 **PLEASE TAKE FURTHER NOTICE** that pursuant to section 362(a) of the
8 Bankruptcy Code, the Debtor’s filing of the voluntary petition gives rise to a stay,
9 applicable to all entities, of, among other things: (a) the commencement or continuation
10 of any judicial, administrative, or other action or proceeding against the Debtors that
11 was or could have been commenced prior to the commencement of the Chapter 7 case
12 or to recover a claim against the Debtors that arose before the commencement of the
13 Chapter 7 case; (b) the enforcement, against the Debtor or against the property of the
14 bankruptcy estate, of a judgment obtained prior to the commencement of the Chapter 7
15 case; and (c) any act to obtain possession of property of or from the bankruptcy estate,
16 or to exercise control over property of the bankruptcy estate. Nothing herein shall
17 constitute a waiver of the Debtor’s rights to assert any claims, counterclaims, defenses,
18 rights of setoff or recoupment, or any other claims against any party to the above-
19 captioned cases. The Debtor expressly reserves all rights to contest any claim that may
20 be asserted against it.

21 October 11, 2019

Respectfully submitted,
By: s/ Katie S. Knell
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EXHIBIT A

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United States Bankruptcy Court
District of Maryland

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 7 of the United States Bankruptcy Code, entered on 09/24/2019 at 11:00 AM and filed on 09/24/2019.

Terras Kitchen, LLC
1001 South Lakewood Avenue
Baltimore, MD 21224-4724
Tax ID / EIN: 47-2669502



The case was filed by the debtor's attorney:

Lawrence Joseph Yumkas
Yumkas, Vidmar, Sweeney & Mulrenin, LLC
10211 Wincopin Circle, Suite 500
Columbia, MD 21044
(443) 569-0758

The bankruptcy trustee is:

Craig B. Leavers
P.O. Box 306
Cockeysville, MD 21030
443-318-4526

The case was assigned case number 19-22733 to Judge David E. Rice.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Mark A. Neal
Clerk, U.S. Bankruptcy
Court

Fill in this information to identify your case:

United States Bankruptcy Court for the:
 DISTRICT OF MARYLAND

Case number (if known) _____ Chapter 7

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

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 Terra's Kitchen, 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) 47-2669502

4. Debtor's address

<p>Principal place of business</p> <p><u>1001 South Lakewood Avenue</u> <u>Baltimore, MD 21224-4724</u> Number, Street, City, State & ZIP Code</p> <p><u>Baltimore City</u> County</p>	<p>Mailing address, if different from principal place of business</p> <p>_____</p> <p>P.O. Box, Number, Street, City, State & ZIP Code</p> <p>Location of principal assets, if different from principal place of business</p> <p>_____</p> <p>Number, Street, City, State & ZIP Code</p>
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5. Debtor's website (URL) www.terraskitchen.com

6. Type of debtor

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

Partnership (excluding LLP)

Other. Specify: _____

Debtor **Terra's Kitchen, 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:

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 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 _____	Relationship _____
District _____	When _____ Case number, if known _____

Debtor **Terra's Kitchen, 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 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 checked="" 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 checked="" 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 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 **Terra's Kitchen, 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 **September 23, 2019**
MM / DD / YYYY

X /s/ Brendan Connors
Signature of authorized representative of debtor

Title **CFO**

Brendan Connors
Printed name

18. Signature of attorney

X /s/ Lawrence J. Yumkas
Signature of attorney for debtor

Date **September 23, 2019**
MM / DD / YYYY

Lawrence J. Yumkas 06357
Printed name

Yumkas, Vidmar, Sweeney & Mulrenin, LLC
Firm name

**10211 Wincopin Circle, Suite 500
Columbia, MD 21044**
Number, Street, City, State & ZIP Code

Contact phone **(443) 569-0758** Email address **lyumkas@yvslaw.com**

06357 MD
Bar number and State