

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF ARIZONA

Case number (if known) _____ Chapter 11

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

1. Debtor's name Summit Family Restaurants Inc

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

3. Debtor's federal Employer Identification Number (EIN) 87-0264039

4. Debtor's address

Principal place of business	Mailing address, if different from principal place of business
<u>2501 N. Hayden Road, Suite 103</u> <u>Scottsdale, AZ 85257</u> Number, Street, City, State & ZIP Code	_____ P.O. Box, Number, Street, City, State & ZIP Code
<u>Maricopa</u> County	Location of principal assets, if different from principal place of business
	<u>6715 West Colfax Avenue Denver, CO 80214</u> Number, Street, City, State & ZIP Code

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: _____

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.

A debtor who is a "small business debtor" must check the first subbox. 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

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 _____

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 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

Debtor Summit Family Restaurants Inc
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 04/06/2021
MM/DD/YYYY

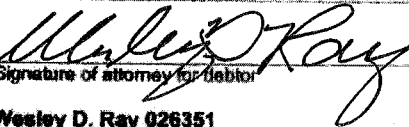
x 
Signature of authorized representative of debtor

Robert E. Wheaton
Printed name

stardorsetta@questel.com
Email Address of debtor

Title CEO and sole Director

18. Signature of attorney

x 
Signature of attorney for debtor

Date 04/06/2021
MM/DD/YYYY

Wesley D. Ray 026351
Printed name

Sacks Tierney P.A.
Firm name

**4250 N Drinkwater Blvd.
4th Floor
Scottsdale, AZ 85251-3693**
Number, Street, City, State & ZIP Code

Contact phone 480-425-2600 Email address Wesley.Ray@sackstierney.com

026351 AZ
Bar number and State

SUMMIT FAMILY RESTAURANTS, INC.
BALANCE SHEET

	March 22 2021
	(Unaudited)
Current assets:	
Cash and cash equivalents	991,271
Receivables, net	
Inventories	52,701
Prepaid expenses	-
	1,043,972
Total current assets	
Property, buildings and equipment, net	148,456
Property and equipment leased to third parties, net	
Property, buildings and equipment held for future use	
Total property, buildings and equipment	148,456
Capital Lease Asset	2,489,460
	3,681,888
Total assets	3,681,888
Current liabilities:	
Accounts payable – trade	47,169
Payroll and related taxes	148,684
Sales and property taxes	23,489
Rent, licenses and other	329,770
Income taxes payable	-
Current maturities of obligations under long-term debt	
Other accrued S-T liabilities (Capital Lease)	226,223
	775,335
Total current liabilities	
Long-term Capital Lease	2,497,806
Long-term debt, (SBA EIDL)	149,900
Long-term debt, (PPP)	1,001,563
	4,424,605
Liabilities	
Stockholders' equity:	
Common stock, \$.001 par value:	10
Additional paid-in capital	990
Retained earnings	(743,717)
	(742,717)
Total stockholders' equity	
Total liabilities and stockholders' equity	3,681,888

**SUMMIT FAMILY RESTAURANTS
STATEMENT OF OPERATIONS**

	<u>ACTUAL</u>
	Eight Weeks ended Mar 22, 2021
Total Revenues	\$ -
Costs and expenses:	
Food Costs	-
Labor Costs	-
Occupancy and other expenses	78,751
General and administrative expenses	-
Depreciation and amortization	6,388
Impairment of long-lived assets	-
Total costs and expenses	85,139
Income from operations	(85,139)
Interest expense	-
Interest income	-
Gain/(Loss) on Sale	-
Other Income (Expense)	-
Income before income taxes and reorg.	(85,139)
Reorg Expense/(Income)	-
Income tax expense	-
Net income	\$ (85,139)

Income Statement as % of Revenues

Costs and expenses:	
Food Costs	-
Labor Costs	-
Occupancy and other expenses	-
General and administrative expenses	-
Depreciation and amortization	-
Impairment of long-lived assets	-
Total costs and expenses	-
Income from operations	-
Interest expense	-
Interest income	-
Gain/<Loss> property disposal	-
Other Income (Expense)	-
Income before income taxes and reorg.	-
Reorg Expense/(Income)	-
Income before income taxes	-
Income tax expense	-
Net income	-

DECLARATION OF ROBERT E. WHEATON

I, Robert E. Wheaton, under penalty of perjury and in accordance with 11 U.S.C. § 1116(1)(B), hereby declare as follows:

1. I am of sound mind and make this declaration in connection with the commencement of bankruptcy proceedings, under Subchapter V of Chapter 11 of the United States Bankruptcy Code, for Summit Family Restaurants Inc. ("Summit").
2. I have personal knowledge of the facts set forth herein.
3. I am the President, CEO, and sole director of Summit, and am authorized to provide this declaration on behalf of Summit.
4. Summit is wholly owned by Star Buffet, Inc. ("Star").
5. Summit does not prepare or file separate income tax returns. Rather, its income is reported in consolidated tax returns filed by Star.
6. As such, no independent income tax return for Summit exists or has been filed with the Internal Revenue Service.



Robert E. Wheaton

**CORPORATE RESOLUTION AND CONSENT
OF THE
BOARD OF DIRECTORS AND SOLE SHAREHOLDER
OF
SUMMIT FAMILY RESTAURANTS, INC.**

April 6, 2021

The undersigned, being all of the directors and shareholders of Summit Family Restaurants, Inc. a Delaware corporation (the "Company"), hereby adopt the following resolutions without the necessity of a meeting:

WHEREAS it has been determined that it is in the Company's best interests to commence voluntary bankruptcy proceedings under Chapter 11 of Title 11 of the United States Code;

WHEREAS the Company will need legal counsel to advise the Company in connection with such bankruptcy proceedings; and

WHEREAS the undersigned are all of the Company's directors and the Company's sole shareholder and consent to and approve the actions described in this resolution without the need for a meeting,

IT IS HEREBY RESOLVED that the Company is authorized to retain the law firm of Sacks Tierney P.A. to serve as the Company's bankruptcy counsel;

IT IS FURTHER RESOLVED that the Company, through its officers, is authorized to file a voluntary bankruptcy petition for the Company in the United States Bankruptcy Court for the District of Arizona, and to take whatever actions are necessary and appropriate to prosecute the Company's bankruptcy proceedings; and

IT IS FURTHER RESOLVED that any actions to date taken by the Company or its officers in preparation for, or in furtherance of, the bankruptcy proceedings contemplated herein are hereby approved and ratified.

SUMMIT FAMILY RESTAURANTS INC.

By _____

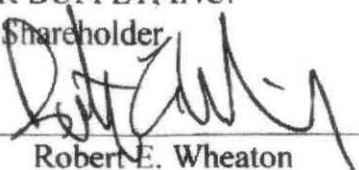

Robert E. Wheaton

President, CEO and Sole Director

STAR BUFFET, INC.

Sole Shareholder

By _____


Robert E. Wheaton

CEO