

# United States Bankruptcy Court

## District of Arizona - Phoenix Division

# Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): <b>Star Buffet, Inc.</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>84-1430786</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>1312 N. Scottsdale Road</b> <b>Scottsdale, AZ</b> <div style="text-align: right;">ZIP Code <b>85257</b></div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right;">ZIP Code</div>
County of Residence or of the Principal Place of Business: <b>Maricopa</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):	

<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.  <b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000  <b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion  <b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	THIS SPACE IS FOR COURT USE ONLY
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**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**Star Buffet, Inc.****All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

**- None -**

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X**

Signature of Attorney for Debtor(s)

(Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, 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.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**Star Buffet, Inc.****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Debtor

**X** \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**Signature of Attorney\***

**X /s/ S. Cary Forrester** \_\_\_\_\_  
Signature of Attorney for Debtor(s)

**S. Cary Forrester 006342** \_\_\_\_\_  
Printed Name of Attorney for Debtor(s)

**Forrester & Worth, PLLC** \_\_\_\_\_  
Firm Name  
**3636 N. Central Avenue**  
**Suite 700**  
**Phoenix, AZ 85012-1927**

\_\_\_\_\_  
Address

**(602) 258-2728 Fax: 602-271-4300** \_\_\_\_\_  
Telephone Number

**September 28, 2011** \_\_\_\_\_  
Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

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

**X /s/ Robert E. Wheaton** \_\_\_\_\_  
Signature of Authorized Individual

**Robert E. Wheaton** \_\_\_\_\_  
Printed Name of Authorized Individual

**CEO/President** \_\_\_\_\_  
Title of Authorized Individual

**September 28, 2011** \_\_\_\_\_  
Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

**X** \_\_\_\_\_  
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

**United States Bankruptcy Court  
District of Arizona - Phoenix Division**

In re Star Buffet, Inc.

Debtor(s)

Case No.

Chapter

11

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Bank of Utah Attn: Scott Heninger 5741 South 1900 West Roy, UT 84067	Bank of Utah Attn: Scott Heninger 5741 South 1900 West Roy, UT 84067		Contingent	1,087,992.00
CK's Produce 2801 East Hillsborough Avenue Tampa, FL 33610	CK's Produce 2801 East Hillsborough Avenue Tampa, FL 33610		Disputed	9,825.00
Clark Mueller Biereley 102 West Whiting Street, Ste. 302 Tampa, FL 33602	Clark Mueller Biereley 102 West Whiting Street, Ste. 302 Tampa, FL 33602			12,000.00
Greenway Leasing 4731 Hazel Jones Road, Suite A Bossier City, LA 71111	Greenway Leasing 4731 Hazel Jones Road, Suite A Bossier City, LA 71111	Leases		184,367.00
K-Bob's USA, Inc 141 E. Palace Avenue Santa Fe, NM 87501	K-Bob's USA, Inc 141 E. Palace Avenue Santa Fe, NM 87501		Unliquidated Disputed	157,520.49
Levine Investments LLP 1702 East Highland, Suite 310 Phoenix, AZ 85016	Levine Investments LLP 1702 East Highland, Suite 310 Phoenix, AZ 85016	Lease Jackson, MS	Disputed	168,737.00
McWhorter, Cobb and Johnson 1722 Broadway Lubbock, TX 79401	McWhorter, Cobb and Johnson 1722 Broadway Lubbock, TX 79401			70,293.00
Moss Adams 8800 East Raintree Drive Suite 210 Scottsdale, AZ 85260	Moss Adams 8800 East Raintree Drive Suite 210 Scottsdale, AZ 85260			5,000.00
Moulton Bellingham 27 North 27th Street P.O. Box 2559 Billings, MT 59103-2559	Moulton Bellingham 27 North 27th Street P.O. Box 2559 Billings, MT 59103-2559			20,000.00

Debtor(s) \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>NASDAQ Stock Market, Inc. P.O. Box 7777-W8130 Philadelphia, PA 19175-8130</b>	<b>NASDAQ Stock Market, Inc. P.O. Box 7777-W8130 Philadelphia, PA 19175-8130</b>		<b>Disputed</b>	<b>27,500.00</b>
<b>Naumes, Michael 2 West Barnett Road Medford, OR 97501</b>	<b>Naumes, Michael 2 West Barnett Road Medford, OR 97501</b>	<b>Lease</b>		<b>40,000.00</b>
<b>Naumes, Susan 2 West Barnett Road Medford, OR 97501</b>	<b>Naumes, Susan 2 West Barnett Road Medford, OR 97501</b>			<b>40,000.00</b>
<b>Oshunola, L.L.C. Bank of America P.O. Box 31900 Tampa, FL 33631-3900</b>	<b>Oshunola, L.L.C. Bank of America P.O. Box 31900 Tampa, FL 33631-3900</b>	<b>Lease Brandon</b>	<b>Disputed</b>	<b>723,498.00</b>
<b>Parr Brown P.O. Box 11019 Salt Lake City, UT 84147</b>	<b>Parr Brown P.O. Box 11019 Salt Lake City, UT 84147</b>			<b>27,000.00</b>
<b>Platinum 802 W. Lumsden Road Brandon, FL 33511</b>	<b>Platinum 802 W. Lumsden Road Brandon, FL 33511</b>		<b>Contingent</b>	<b>677,305.00</b>
<b>Rideneour, Hienton &amp; Louis 201 North Central Avenue Suite 3300 Phoenix, AZ 85004-1052</b>	<b>Rideneour, Hienton &amp; Louis 201 North Central Avenue Suite 3300 Phoenix, AZ 85004-1052</b>			<b>5,000.00</b>
<b>Smith, Tom 4088 Penshurst Park Sarasota, FL 34235</b>	<b>Smith, Tom 4088 Penshurst Park Sarasota, FL 34235</b>			<b>17,500.00</b>
<b>Spirit Master Funding, LLC 14631 N. Scottsdale Road, #200 Scottsdale, AZ 85254-2786</b>	<b>Spirit Master Funding, LLC 14631 N. Scottsdale Road, #200 Scottsdale, AZ 85254-2786</b>		<b>Disputed</b>	<b>826,208.00</b>
<b>State of Delaware Division of Corporations P.O. Box 11728 Newark, NJ 07101-4728</b>	<b>State of Delaware Division of Corporations P.O. Box 11728 Newark, NJ 07101-4728</b>			<b>14,000.00</b>
<b>Wheaton, Robert 4716 E. Valley Vista Paradise Valley, AZ 85253</b>	<b>Wheaton, Robert 4716 E. Valley Vista Paradise Valley, AZ 85253</b>			<b>2,227,893.00</b>

In re **Star Buffet, Inc.**

Debtor(s)

Case No. \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(Continuation Sheet)

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the CEO/President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **September 28, 2011**

Signature **/s/ Robert E. Wheaton**

**Robert E. Wheaton**  
**CEO/President**

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court  
District of Arizona - Phoenix Division**

In re **Star Buffet, Inc.**

Debtor(s)

Case No.

Chapter

**11**

**DECLARATION**

I, the CEO/President of the corporation named as the debtor in this case, do hereby certify, under penalty of perjury, that the Master Mailing List, consisting of **2** sheet(s), is complete, correct and consistent with the debtor(s)' schedules.

Date: **September 28, 2011**

**/s/ Robert E. Wheaton**

**Robert E. Wheaton/CEO/President**

Signer/Title

Date: **September 28, 2011**

**/s/ S. Cary Forrester**

Signature of Attorney

**S. Cary Forrester 006342**

**Forrester & Worth, PLLC**

**3636 N. Central Avenue**

**Suite 700**

**Phoenix, AZ 85012-1927**

**(602) 258-2728 Fax: 602-271-4300**

MML-5

BAKWIN, CHRIS  
P.O. BOX 1542  
BOZEMAN, MT 59715

GRANTS PASS SHOPPING CENTER  
C/O PACIFIC WESTERN BANK  
P.O. BOX 1929  
YUCCA VALLEY, CA 92286

Star Buffet, Inc. -  
MOSS ADAMS  
8800 EAST RAINTREE DRIVE  
SUITE 210  
SCOTTSDALE, AZ 85260

BANK OF UTAH  
ATTN: SCOTT HENINGER  
5741 SOUTH 1900 WEST  
ROY, UT 84067

GREENWAY LEASING  
4731 HAZEL JONES ROAD, SUITE A  
BOSSIER CITY, LA 71111

MOULTON BELLINGHAM  
27 NORTH 27TH STREET  
P.O. BOX 2559  
BILLINGS, MT 59103-2559

BROWN, TODD  
11435 N. ST. ANDREWS WAY  
SCOTTSDALE, AZ 85254

GROVES, JOE  
3501 PROVIDENCE MANOR ROAD  
CHARLOTTE, NC 28270

NASDAQ STOCK MARKET, INC.  
P.O. BOX 7777-W8130  
PHILADELPHIA, PA 19175-8130

CBIZ/MAYER HOFFMAN  
FILE 50034  
LOS ANGELES, CA 90074-0034

JOE GROVES  
3501 PROVIDENCE MANOR ROAD  
CHARLOTTE, NC 28270

NAUMES, MICHAEL  
2 WEST BARNETT ROAD  
MEDFORD, OR 97501

CK'S PRODUCE  
2801 EAST HILLSBOROUGH AVENUE  
TAMPA, FL 33610

K-BOB'S USA, INC  
141 E. PALACE AVENUE  
SANTA FE, NM 87501

NAUMES, SUSAN  
2 WEST BARNETT ROAD  
MEDFORD, OR 97501

CLARK MUELLER BIERELEY  
102 WEST WHITING STREET, STE. 302  
TAMPA, FL 33602

LEVINE INVESTMENTS LLP  
1702 EAST HIGHLAND, SUITE 310  
PHOENIX, AZ 85016

OSHUNOLA, L.L.C.  
BANK OF AMERICA  
P.O. BOX 31900  
TAMPA, FL 33631-3900

CRAIG WHEATON  
2910 FAIRVIEW ROAD  
RALEIGH, NC 27608

MCWHORTER, COBB AND JOHNSON  
1722 BROADWAY  
LUBBOCK, TX 79401

PARR BROWN  
P.O. BOX 11019  
SALT LAKE CITY, UT 84147

CSC  
P.O. BOX 13397  
PHILADELPHIA, PA 19101-3397

MELLON INVESTOR SERVICES  
ACCOUNTING DEPARTMENT  
P.O. BOX 360857  
PITTSBURGH, PA 15251-6857

PLATINUM  
802 W. LUMSDEN ROAD  
BRANDON, FL 33511

DELAWARE SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
P.O. BOX 74072  
BALTIMORE, MD 21274-4072

MICHAEL NAUMES  
2 WEST BARNETT ROAD  
MEDFORD, OR 97501

RIDENEOUR, HIENTON & LOUIS  
201 NORTH CENTRAL AVENUE  
SUITE 3300  
PHOENIX, AZ 85004-1052

FLYING W DIAMOND  
141 E. PALACE AVENUE  
SANTA FE, NM 87501

MID SOUTH PARTNERS  
5575 POPLAR AVENUE, SUITE 803  
MEMPHIS, TN 38119

RIDENEOUS, HIENTON & LOUIS  
201 NORTH CENTRAL AVENUE  
SUITE 3300  
PHOENIX, AZ 85004-1052



ROBERT WHEATON  
4716 E. VALLEY VISTA  
PARADISE VALLEY, AZ 85253

Star Buffet, Inc. -  
WHEATON, CRAIG  
2910 FAIRVIEW ROAD  
RALEIGH, NC 27608

SCHADT, TOM  
1725 ROCKVIEW CIRCLE  
SUPERIOR, CO 80027

WHEATON, ROBERT  
4716 E. VALLEY VISTA  
PARADISE VALLEY, AZ 85253

SMITH, TOM  
4088 PENSHURST PARK  
SARASOTA, FL 34235

SPIRIT MASTER FUNDING, LLC  
14631 N. SCOTTSDALE ROAD, #200  
SCOTTSDALE, AZ 85254-2786

STATE OF DELAWARE  
DIVISION OF CORPORATIONS  
P.O. BOX 11728  
NEWARK, NJ 07101-4728

SUMMIT FAMILY RESTAURANTS, INC.  
1312 N. SCOTTSDALE ROAD  
SCOTTSDALE, AZ 85257

SUSAN NAUMES  
2 WEST BARNETT ROAD  
MEDFORD, OR 97501

TODD BROWN  
11435 N. ST. ANDREWS WAY  
SCOTTSDALE, AZ 85254

TOM SCHADT  
1725 ROCKVIEW CIRCLE  
SUPERIOR, CO 80027

TOM SMITH  
4088 PENSHURST PARK  
SARASOTA, FL 34235

**United States Bankruptcy Court  
District of Arizona - Phoenix Division**

In re **Star Buffet, Inc.**

Debtor(s)

Case No.  
Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Star Buffet, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

**September 28, 2011**

Date

**/s/ S. Cary Forrester**

**S. Cary Forrester 006342**

Signature of Attorney or Litigant

Counsel for **Star Buffet, Inc.**

**Forrester & Worth, PLLC**

**3636 N. Central Avenue**

**Suite 700**

**Phoenix, AZ 85012-1927**

**(602) 258-2728 Fax:602-271-4300**

1 **FORRESTER & WORTH, PLLC**  
2 3636 NORTH CENTRAL AVENUE, SUITE 700  
3 PHOENIX, ARIZONA 85012-1927  
4 (602) 271-4250  
5 (602) 271-4300 FAX  
6 S. CARY FORRESTER (006342)  
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8 ATTORNEYS FOR DEBTOR

6 **UNITED STATES BANKRUPTCY COURT**  
7 **DISTRICT OF ARIZONA**

8 In re:

9 **STAR BUFFET, INC.,**

10 Debtor.

Chapter 11

Case No. 2:11-bk-27518

**NOTICE OF FILING  
CORPORATE RESOLUTION  
AUTHORIZING BANKRUPTCY  
FILING**

13  
14 NOTICE IS GIVEN that Star Buffet, Inc. has filed its Corporate Resolution  
15 Authorizing Bankruptcy Filing.

16 RESPECTFULLY SUBMITTED September 28, 2011.

17 **FORRESTER & WORTH, PLLC**

18  
19  
20 /s/ SCF (006342)

S. Cary Forrester

Attorneys for Debtor

1 Copy mailed September 28, 2011, to:

2 Office of the U.S. Trustee  
3 230 North First Avenue, Suite 204  
4 Phoenix, Arizona 85003

5  
6 /s/ Carrie Lawrence  
7 Carrie Lawrence

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## CERTIFICATE OF SECRETARY

The undersigned hereby certifies that:

1. I am the duly elected, qualified and acting Secretary of Star Buffet, Inc., a Delaware corporation (the “**Company**”), and, as such, I am familiar with the matters set forth below and with the books, records, and proceedings of the Company.

2. Attached hereto as Exhibit A is a true, correct and complete copy of resolutions of the Board of Directors of the Company adopted on September 24, 2011, 2011. Said resolutions have not been amended, modified or rescinded and are in full force and effect as of the date hereof.

IN WITNESS WHEREOF, the undersigned has executed this Certificate this 24<sup>th</sup> day of September, 2011.

  
\_\_\_\_\_  
Ron Downey  
Secretary

## **EXHIBIT A**

### **Authorization to Petition for Bankruptcy**

**RESOLVED**, that in the judgment of the Board, it is in the best interest of the Company, its creditors, stockholders, employees and other interested parties that a petition be filed by the Company seeking relief under the provisions of Chapter 11 of Title 11 of the United States Code (the “**Bankruptcy Code**”);

**RESOLVED FURTHER**, that Robert E. Wheaton, President and Chief Executive Officer of the Company, and such other officers as Mr. Wheaton may from time to time designate (each an “Authorized Officer” and collectively the “Authorized Officers”), are, and each of them is, hereby authorized and empowered on behalf of, and in the name of, the Company to execute and verify (or certify) a petition under Chapter 11 of the Bankruptcy Code and to cause the same to be filed in the United States Bankruptcy Court for the District of Arizona at such time as said officer executing the same shall determine;

**RESOLVED FURTHER**, that each of the Authorized Officers are hereby authorized and empowered on behalf of, and in the name of, the Company to execute and file all petitions, schedules, lists, and other papers, and to take any and all actions that any of the Authorized Officers may deem necessary or proper in connection with the Chapter 11 case;

**RESOLVED FURTHER**, that each of the Authorized Officers are hereby authorized and empowered on behalf of, and in the name of, the Company to execute any and all plans of reorganization under Chapter 11 of the Bankruptcy Code, including any and all modifications, supplements, and amendments thereto, in such form and containing such terms as the Authorized Officers or the Board shall hereafter approve, and to cause the same to be filed in the United States Bankruptcy Court for the District of Arizona at such time as said officer executing the same shall determine;

**RESOLVED FURTHER**, that the law firm of Forrester & Worth, PLLC be employed as counsel for the Company in the Company’s Chapter 11 case under such terms as any Authorized Officer may approve;

**RESOLVED FURTHER**, that each of the Authorized Officers be, and hereby is, authorized and empowered on behalf of, and in the name of, the Company to retain and employ other attorneys, financial advisers, investment bankers, accountants, and other professionals to assist in the Company’s Chapter 11 case on such terms as such Authorized Officer deems necessary or proper.