

UNITED STATES BANKRUPTCY COURT

VOLUNTARY PETITION

Name of Debtor (if individual, enter Last, First, Middle):

ABM Investments Inc.

Name of Joint Debtor (Spouse (Last First, Middle):

All other Names used by Debtor in the last 8 years
(include married, maiden, and trade names):

Rick's Tavern

All other Names used by Debtor in the last 8 years
(include married, maiden, and trade names):Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No. (if more than one,
state all): 13-4226307Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No. (if more than one,
state all):

Street Address of Debtor (No. and Street, City and State):

3975 Millcreek Road
Hockessin, DE

ZIP CODE 19707

Street Address of Joint Debtor (No. and Street, City and State):

ZIP CODE

County of Residence or the Principal Place of Business:

Trainer, PA

County of Residence or the Principal Place of Business:

Mailing Address of Debtor (if different from street address):

ZIP CODE

Mailing Address of Debtor (if different from street address):

ZIP CODE

Location of Principal Assets of Business Debtor (if different from street address above):

4002 W 9th Street, Trainer, PA 19061

ZIP CODE

Type of Debtor
(Form of Organization)
(Check one box.)

- ☐ Individual (includes Joint Debtors)
See Exhibit D on page 2 of this form.
- ☒ Corporation (includes LLC and LLP)
- ☐ Partnership
- ☐ Other (If debtor is not one of the above entities,
check this box and state type of entity below.)

Nature of Business
(Check one box.)

- ☐ Health Care Business
- ☐ Single Asset Real Estate as defined in
11 U.S.C. § 101(51B)
- ☐ Railroad
- ☐ Stockbroker
- ☐ Commodity Broker
- ☐ Clearing Bank
- ☒ Other

Tax-Exempt Entity
(Check box, if applicable)

- ☐ Debtor is a tax-exempt organization
under Title 26 of the United States
Code (the Internal Revenue Code).

Chapter of Bankruptcy code Under Which
the Petition is Filed (Check one box.)

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11
- ☐ Chapter 12
- ☐ Chapter 13
- ☐ Chapter 15 Petition for
Recognition of a Foreign
Main Proceeding
- ☐ Chapter 15 Petition for
Recognition of a Foreign
Nonmain Proceeding

Nature of Debts
(Check one box)

- ☐ Debts are primarily consumer
debts, defined in 11 U.S.C.
§ 101(8) as "incurred by an
individual primarily for a
personal, family, or house-
hold purpose."
- ☒ Debts are primarily
business debts.

Filing Fee (Check one box)

- ☒ Full Filing Fee attached.
- ☐ 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.
- ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must
attach signed application for the court's consideration. See Official Form 3B.

Chapter 11 Debtors

Check one box:

- ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).
- ☒ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).

Check if:

- ☒ 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:

- ☐ 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).

Statistical/Administrative Information

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.
- ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for
distribution to unsecured creditors.

Estimated Number of Creditors

1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	Over 100,000
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Assets

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Liabilities

\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THIS SPACE IS
FOR COURT USE
ONLY

Voluntary Petition <i>(This page must be completed and filed in every case.)</i>		Name of Debtor(s): ABM Investments Inc.	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)			
Location Where Filed:	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: William Richard Bennett, Sr.	Case Number: 11-12509	Date Filed: 8/9/2011	
District: Delaware	Relationship: Debtor's President & Sole Shareholder	Judge: Hon. Kevin Gross	
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.) <input type="checkbox"/> 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 have 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?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.			
<input checked="" type="checkbox"/> 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.)			
<input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.			
If this is a joint petition:			
<input type="checkbox"/> 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)			
<input checked="" type="checkbox"/> 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.			
<input checked="" type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<input type="checkbox"/> Debtor is a debtor in 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)			
<input type="checkbox"/> 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)			
<input type="checkbox"/> 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			
<input type="checkbox"/> Debtor has included with 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.			
<input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).			

Voluntary Petition

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

Name of Debtor(s):

ABM Investments Inc.

Signatures**Signature(s) of Debtors(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 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. § 1515, 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 Attorney*

X

Signature of Attorney for Debtor(s)

Brian Arban (DE No. 4511)

Printed Name of Attorney for Debtor(s)

Hiller & Arban, LLC

Firm Name

1500 North French Street, 2nd Floor

Address

Wilmington, DE 19801

302.442.7676

Telephone Number

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

X

Signature of Authorized Individual

William Richard Bennett, Sr.

Printed Name of Authorized Individual

President

Title of Authorized Individual

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 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, 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.

Written Consent of Board
of
ABM INVESTMENTS INC.
in lieu of Meeting

The undersigned board of directors (the "Board"), constituting the Board of ABM Investments Inc. (the "Company"), in accordance with the Company's Articles of Organization, as amended from time to time, hereby consents to and acts in writing by the following resolutions:

RESOLVED: That, in the judgment of the Board, it is desirable and in the best interests of the Company that the Company commence a bankruptcy proceeding by filing a voluntary petition for relief under the provisions of Chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") and to seek joint administration of such proceeding with the proceeding filed In re William Richard Bennett, Sr. 11-12509; and

RESOLVED: That the any authorized officer or manager of the Company (each an "Authorized Officer"), including but not limited to William Richard Bennett, Sr., be, and hereby is, 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 Delaware (the "Bankruptcy Court") at such time as such Authorized Officer shall determine; and

RESOLVED: That an Authorized Officer be, and hereby is, 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 such Authorized Officer may deem necessary, proper, or desirable in connection with the Company's Chapter 11 case, with a view to the successful prosecution of the case; and

RESOLVED: That an Authorized Officer be, and hereby is, authorized and empowered on behalf of and in the name of the Company to retain and employ attorneys, investment bankers, accountants, restructuring professionals, financial advisors and other professionals to assist in the Company's Chapter 11 case on such terms as are deemed necessary, proper or desirable; and

RESOLVED: That an Authorized Officer be, and hereby is, authorized and empowered in the name and on behalf of the Company to borrow funds, provide guaranties, collateralize assets of the Company to secure future transactions, and undertake related financing transactions (collectively, the "Financing Transactions"), on such terms as may be approved by such Authorized Officer as reasonably necessary for the continuing conduct of the affairs of the Company and pay related fees and grant security interests in and liens upon some, all, or substantially all of the Company's assets, as may be deemed necessary by such Authorized Officer in connection with such Financing Transactions, with approval of the Bankruptcy Court if necessary; and

RESOLVED: That an Authorized Officer and any employees or agents (including counsel) designated by or directed by any Authorized Officer be, and each hereby is, authorized and empowered on behalf of, and in the name of, the Company to cause the Company to file such definitive Chapter 11 plan of reorganization or liquidation and any and all modifications, supplements or amendments thereto, and such other agreements, instruments and documents as may be necessary, appropriate or desirable in connection with such plan and to make such motions and other filings with the Bankruptcy Court, and do all other things, as may be or become necessary, appropriate or desirable for the successful confirmation of such plan; and

RESOLVED: That, in connection with the prosecution of the Company's Chapter 11 case, an Authorized Officer and any employees or agents (including counsel) designated by or directed by any Authorized Officer be, and each hereby is, authorized and empowered on behalf of, and in the name of, the Company to cause the Company to enter into any agreements, instruments and documents as may be necessary, appropriate or desirable and to make such motions and other filings with the Bankruptcy Court, and do all other things, as may be or become necessary, appropriate or desirable in order to effectuate a sale of the Company; and

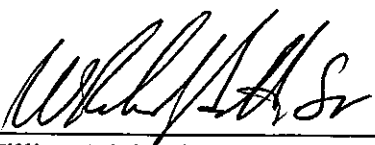
RESOLVED: That an Authorized Officer and any employees or agents (including counsel) designated by or directed by any Authorized Officer be, and each hereby is, authorized and empowered to cause the Company to enter into, execute, deliver, certify, file and/or record and perform such agreements, instruments, motions, affidavits, applications for approvals or rulings of governmental or regulatory authorities, certificates, and other documents and to take such other actions as in the judgment of such Authorized Officer shall be or become necessary, proper and desirable to prosecute to a successful completion the Company's Chapter 11 case, to effectuate the restructuring and/or liquidation of the debt, other obligations, organizational form and structure of the Company consistent with the foregoing votes, and to carry out and put into effect the purposes of the foregoing votes and the transactions contemplated by these votes, their authority thereunto to be evidenced by the taking of such actions; and

RESOLVED: In the judgment of the Board, the interest of the Company are sufficiently aligned with the interests of William Richard Bennett, Sr., that after sufficient information, the Company consents to concurrent representation by Mr. Bennett's attorneys, Hiller & Arban, LLC.

RESOLVED: That any and all past actions heretofore taken by officers of the Company in the name of and on behalf of the Company in furtherance of any or all of the preceding votes be, and the same hereby are, ratified, approved and adopted; and

IN WITNESS WHEREOF, the undersigned have duly executed this WRITTEN
CONSENT OF BOARD as of the date set forth above.

9/13/11
Date

by: 
William Richard Bennett, Sr.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re

ABM INVESTMENTS INC.,

Debtor.

Chapter 11

Case No. 11-_____

STATEMENT OF CORPORATE OWNERSHIP AND LIST OF EQUITY HOLDERS

William Richard Bennett, Sr., President of ABM Investments Inc. (the "Debtor"), named as the debtor in this case, hereby states:

1. I am the sole equity holder of the Debtor.
2. Pursuant to Fed. R. Bankr. P. 1007(a)(1) and 7007.1, I state that no corporation directly or indirectly owns 10% or more of any class of the Debtor's equity interests.

Dated: 9/13/11

ABM INVESTMENTS INC.

by: William Richard Bennett, Sr.

William Richard Bennett, Sr.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

<p>In re</p> <p>ABM INVESTMENTS INC.,</p> <p style="text-align: center;">Debtor.</p>	<p>Chapter 11</p> <p>Case No. 11-_____</p>
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LIST OF CREDITORS
HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of creditors holding the 20 largest unsecured claims against the estate of the above-captioned debtor. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this Chapter 11 case. The list does not include (1) persons who came 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.

Name of Creditor and complete mailing address including zip code	Name, telephone number and complete mailing address including zip code of employee, agent or department of creditor familiar with claim who may be contacted.	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed or subject to setoff	Amount of Claim (if secured also state value security)
Delaware County Tax Claim Bureau	Tax Claim Bureau 201 W. Front Street Media, PA 19063-2768	Tax		\$8,916.42
PA Dept. of Revenue	c/o Linebarger Goggin Blair & Sampson, LLP, P.O. Box 90128, Harrisburg, PA 17109-0128	Tax	Disputed	\$8,435.00
Chichester School District	c/o Citizens Bank, P.O. Box 347542, Pittsburgh, PA 15251- 4542	Tax		\$6,277.04
DuVilla & Co.	1400 Peoples Plaza Suite 104 Newark, DE 19702	Services		\$3,200.00
Trainer Borough	824 Main Street, Trainer, PA 19061	Tax		\$2,380.61

**DECLARATION UNDER PENALTY
OF PERJURY ON BEHALF OF COMPANY**

I, ABM Investment Inc. named as the debtor in the above-captioned case, declare under penalty of perjury that I have read the foregoing List of Creditors Holding 20 Largest Unsecured Claims and that it is true and correct to the best of my information and belief.

Dated: _____

9/13/11

by: _____

W. H. A. Sr.