

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF CALIFORNIA

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

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

1. Debtor's name	<u>Spring Mountain Vineyard Inc.</u>	
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)	<u>36-3844911</u>	
4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>2805 Spring Mountain Road</u>	
	<u>Saint Helena, CA 94574</u>	
	Number, Street, City, State & ZIP Code	P.O. Box, Number, Street, City, State & ZIP Code
	<u>Napa</u>	Location of principal assets, if different from principal place of business
	County	
		Number, Street, City, State & ZIP Code
5. Debtor's website (URL)	<u>www.springmountainvineyard.com</u>	
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))	
	<input type="checkbox"/> Partnership (excluding LLP)	
	<input type="checkbox"/> 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>.

5813

8. Under which chapter of the Bankruptcy Code is the debtor filing?

A debtor who is a "small business debtor" must check the first sub-box. 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.

Check one:

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. Check all that apply:

- ☐ 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 \$3,024,725. 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?

If more than 2 cases, attach a separate list.

- ☒ No.
☐ Yes.

District _____ When _____ Case number _____
District _____ When _____ Case number _____

Debtor Spring Mountain Vineyard Inc.
Name

Case number (if known) _____

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

☐ 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
☐ 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

☐ \$1,000,001 - \$10 million
☐ \$10,000,001 - \$50 million

☐ \$500,000,001 - \$1 billion
☐ \$1,000,000,001 - \$10 billion

Debtor	Spring Mountain Vineyard Inc.	Case number (if known)	
	Name		
<input type="checkbox"/>	\$100,001 - \$500,000	<input type="checkbox"/>	\$50,000,001 - \$100 million
<input type="checkbox"/>	\$500,001 - \$1 million	<input checked="" type="checkbox"/>	\$100,000,001 - \$500 million
		<input type="checkbox"/>	\$10,000,000,001 - \$50 billion
		<input type="checkbox"/>	More than \$50 billion

Debtor Spring Mountain Vineyard 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 September 29, 2022
MM / DD / YYYY

X


Signature of authorized representative of debtor

Constantine S. Yannias
Printed name

Title President

18. Signature of attorney

X

/s/ Victor A. Sahn
Signature of attorney for debtor

Date September 29, 2022
MM / DD / YYYY

Victor A. Sahn
Printed name

Greenspoon Marder LLP
Firm name

333 S Grand Ave Suite 3400
Los Angeles, CA 90071
Number, Street, City, State & ZIP Code

Contact phone (213) 626-2311 Email address victor.sahn@gmlaw.com

CA
Bar number and State

**United States Bankruptcy Court
Northern District of California**

In re Spring Mountain Vineyard Inc.

Debtor(s)

Case No.

Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Freecrest Limited, a company organized under the laws of the British Virgin Islands c/o CDL Consultants, S.A. Attn: Dominique Liardet 29 Rue De Laz Coulouvreniere 1204 Geneva Switzerland			Common Stock (100 %)

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

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

Date September 29, 2022

Signature


Constantine S. Yannias

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

CERTIFICATE OF RESOLUTIONS

The undersigned, the sole member of the Board of Directors of Spring Mountain Vineyard Inc., a Delaware corporation (the "Company"), does hereby certify that the following resolutions were adopted by the Company, and that they have not been modified or rescinded and are still in full force and effect:

NOW, THEREFORE, BE IT RESOLVED, that in the judgment of the director of the Company, it is desirable and in the best interests of the Company, its interest holders, and other interested parties, that a voluntary petition be filed by and for the Company, in the United States Bankruptcy Court for the Northern District of California, Santa Rosa Division, seeking relief under the provisions of Chapter 11 of title 11 of the United States Code; and it is further

RESOLVED, that the President and sole director of the Company Mr. Constantine S. Yannias ("President") be, and hereby is, authorized and directed, on behalf of and in the name of the Company, to execute and verify such a petition, and to cause the same to be filed with the United States Bankruptcy Court at such time as the President shall determine; and it is further

RESOLVED, that the President be, and hereby is, authorized to execute and file all petitions, schedules, motions, lists, applications, pleadings, and other papers, and in that connection, to employ and retain all assistance by legal counsel, financial consultants, accountants, or other professionals, and to take any and all action which the President deems necessary and proper in the Chapter 11 case, with a view to the successful prosecution of such case; and it is further

RESOLVED, that the President is hereby authorized on behalf of and in the name of the Company to execute and file and cause counsel for the Company to prepare with the assistance of the Company all papers, documents and pleadings in connection with the Company's bankruptcy case, and to take any and all action that the President deems necessary and proper in connection with the Company's bankruptcy case without the need for any further approval of the Board, including but not limited to the following: employing and compensating counsel and professionals; purchasing product or materials; entering into or continuing with agreements; negotiating with creditors, lenders, vendors, suppliers, and landlords; assuming, assigning, or rejecting executory contracts and unexpired leases; signing new or amended contracts and leases; commencing and defending litigation involving the Company; selling or liquidating some or substantially all of the Company's assets; causing the Company to propose a plan of reorganization or liquidation and related disclosure statement and to seek to confirm a plan of reorganization or liquidation; and causing the Company to take whatever steps are necessary to be in compliance with any orders of the Bankruptcy Court; and it is further

RESOLVED, that the President shall be, and hereby is, authorized and empowered to execute and deliver for and on behalf of the Company, as debtor and debtor in possession under Chapter 11 of the Bankruptcy Code, agreements, instruments,

and any and all other documents necessary or appropriate to facilitate the transactions contemplated by the foregoing resolution; and it is further

RESOLVED, that the Company may and shall retain the firm of Greenspoon Marder LLP, a Florida limited liability partnership, as bankruptcy counsel to the Company, in connection with the aforesaid bankruptcy case and for all other relevant purposes. The President is authorized to sign an engagement letter employing Greenspoon Marder LLP, a Florida limited liability partnership, as counsel to the Company, and deliver to Greenspoon Marder LLP, a Florida limited liability partnership, the retainer required by said engagement letter, and to execute any other documents necessary for the retention and employment of Greenspoon Marder LLP, a Florida limited liability partnership, and the approval of such employment in the bankruptcy case; and it is further

RESOLVED, that the Company may retain the firm of Cohen Tauber Spievack & Wagner P.C. as special litigation counsel and special corporate counsel to the Company, in connection with the aforesaid bankruptcy case and for all other relevant purposes. The President is authorized to sign any documents necessary for the retention and employment of Cohen Tauber Spievack & Wagner P.C., and the approval of such employment in the bankruptcy case; and it is further

RESOLVED, that the President of the Company is authorized to take any and all further actions, and to execute and deliver any and all further instruments and documents, and to pay all expenses, in each case as in his judgment as shall be necessary or desirable in order fully to carry out the intent and accomplish the purpose of the resolutions adopted herein.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of September, 2022.

Spring Mountain Vineyard Inc.

By: 
Constantine S. Yannias

Being All of the Directors of the Company

Fill in this information to identify the case:Debtor name Spring Mountain Vineyard Inc.United States Bankruptcy Court for the: NORTHERN DISTRICT OF CALIFORNIA

Case number (if known): _____

☐ Check if this is an
amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value 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 email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Allen Group 120 Stony Point Rd. #230 Santa Rosa, CA 95401						\$10,000.00
Bartelt Engineering 1303 Jefferson St. #200B Napa, CA 94559						\$16,231.25
Belkorp AG LLC 1856 Lincoln Ave. Calistoga, CA 94515						\$39,489.50
Bradley Saunders 1153 Pinewood Dr. Napa, CA 94558						\$5,267.14
Brown's Auto Parts Attn Dan Beltramai, Owner 1218 Main St. Saint Helena, CA 94574						\$7,609.90
Castino Restaurant Equipment And Supply, 50 Utility Ct. Rohnert Park, CA 94928						\$6,749.43
Central Valley 1100 Vintage Ave. Saint Helena, CA 94574						\$21,778.13
CHN Capital Dept. 1801104747435 P.O. Box 78004 Phoenix, AZ 85062						\$10,980.20

Debtor Spring Mountain Vineyard Inc.
Name

Case number (if known) _____

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Chubb Group of Insurance Companies P.O. Box 777-1630 Philadelphia, PA 19175						\$17,406.45
Constantine Yannis 2120 Lincoln Park W Chicago, IL 60614						\$2,538,867.00
Elite Brokerage 3238 Old Heather Rd, San Diego, CA 92111						\$36,870.00
ETS Laboratories c/o Marjorie Burns 899 Adams Street #A Saint Helena, CA 94574-1160						\$4,455.00
Famille Sylvain 855 Bordeaux Way #239 Napa, CA 94559						\$23,002.00
Francois Freres USA Inc. 1403 Jefferson St. Napa, CA 94559						\$21,380.80
Getzler Henrich 295 Madison Avenue 20th Fl. New York, NY 10017						\$52,524.03
IPFS 49 Stevenson St. #127 San Francisco, CA 94105						\$1,873,376.00
Napa County Treasurer 1195 3rd St. #108 Napa, CA 94559						\$223,989.86
Napa Ford Lincoln 170 Soscol Ave. Napa, CA 94559						\$28,830.00
Napa Valley Petroleum P.O. Box 2670 Napa, CA 94558						\$13,985.27
Wilbur ? Ellis Company LLC c/o Registered Agent Solutions Inc. 720 14th St. Sacramento, CA 95814						\$8,350.18

Fill in this information to identify the case:

Debtor name Spring Mountain Vineyard Inc.

United States Bankruptcy Court for the: NORTHERN DISTRICT OF CALIFORNIA

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud 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.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.


I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ Schedule A/B: Assets—Real and Personal Property (Official Form 206A/B)
- ☐ Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)
- ☐ Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)
- ☐ Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)
- ☐ Schedule H: Codebtors (Official Form 206H)
- ☐ Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)
- ☐ Amended Schedule _____
- ☒ Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204)
- ☐ Other document that requires a declaration _____

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

Executed on September 29, 2022

x


Signature of individual signing on behalf of debtor

Constantine S. Yannias

Printed name

President

Position or relationship to debtor