

Fill in this information to identify the case:

United States Bankruptcy Court for the:

SOUTHERN District of NEW YORK (State)

Case number (if known): Chapter

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

1. Debtor's name NINETY-FIVE MADISON COMPANY, LP

2. All other names debtor used in the last 8 years N/A

3. Debtor's federal Employer Identification Number (EIN) 13 - 3 1 1 8 5 1 2

4. Debtor's address Principal place of business: 95 Madison Avenue, New York NY 10016, New York County. Mailing address, if different from principal place of business: Location of principal assets, if different from principal place of business.

5. Debtor's website (URL)

Ninety-Five Madison Compsny LP

Debtor

Name

Case number (if known)

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>.

5 3 1 1

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 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.

- 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

Debtor Ninety-Five Madison Company LP Case number (if known) \_\_\_\_\_  
Name

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?  No  
 Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY  
If more than 2 cases, attach a separate list. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?  No  
 Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_  
MM / DD / YYYY  
List all cases. If more than 1, attach a separate list. 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**

Ninety-Five Madison Company LP

Debtor

Name

Case number (if known)

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 for distribution 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"/> 5,001-10,000  | <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 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 checked="" 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        |

**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 03/22/2021

MM / DD / YYYY  
RAS Property Management LLC

By: Rita Sklar

Rita Sklar

Signature of authorized representative of debtor

Printed name

Title Manager

Debtor Ninety-Five Madison Company LP Case number (if known) \_\_\_\_\_  
Name

18. Signature of attorney

Charles E. Simpson  
Signature of attorney for debtor

Date 03/22/2021  
MM / DD / YYYY

Charles E. Simpson

Printed name  
Windels Marx Lane & Mittendorf, LLP

Firm name  
156 West 56th Street

Number Street

New York NY 10019  
City State ZIP Code

(212) 237-1000  
Contact phone

csimpson@windelsmarx.com  
Email address

1614544  
Bar number

NY  
State


**OFFICER'S CERTIFICATE  
OF  
RAS PROPERTY MANAGEMENT LLC**

**March 22, 2021**

The undersigned, Rita Sklar, the Managing Member of RAS Property Management LLC (the "Corporation"), the General Partner of Ninety-Five Madison Company L.P. ("NFMC") hereby certifies on behalf of the Corporation, as the Managing Member of the Corporation, and not in any individual capacity, as follows:

1. I am qualified and appointed Managing Member of the Corporation, which is the General Partner of NFMC, and, as such, am familiar with the facts herein certified, and I am duly authorized to certify the same on behalf of the Corporation and NFMC.
2. Attached hereto is a true and complete copy of resolution of the Board of Directors of the Corporation.
3. Such resolution has not been amended, altered, annulled, rescinded, or revoked in any manner and is in full force and effect as of the date hereof.

**IN WITNESS WHEREOF**, the undersigned has executed this Certificate as of the 22nd day of March, 2021.



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Name: Rita Sklar  
Title: Managing Member

**RESOLUTIONS OF**  
**RAS PROPERTY MANAGEMENT, LLC (A New York Limited Liability Company)**

**March 22, 2021**

RAS Property Management, LLC, a New York Limited Liability Company (the “Corporation”), does hereby adopt the following resolutions:

**Background**

WHEREAS, Rita Sklar, the Managing Member of the Corporation has evaluated the Corporation’s alternatives in connection with a possible restructuring of Ninety-Five Madison Company LP, of which the Corporation is the General Partner (“NFMC”) and, after due consideration taking into account the information available to it at this time, and after consultation with the Corporation’s management and legal, financial, and other advisors, and in the exercise of its reasonable business judgment the Board has determined that it is in the best interest of the Corporation, its stakeholders, and its creditors to file on behalf of NFMC, a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”)and undertake the other actions approved by these Resolutions.

**Corporate Resolutions**

**Chapter 11 Filing**

IT IS RESOLVED that the Board has declared, and it hereby does declare, that it is in the best interest of the Corporation, NFMC and its stakeholders that NFMC seek relief under Chapter 11 of the Bankruptcy Code; and it is

FURTHER RESOLVED that the Corporation shall be, and hereby is, authorized as General Partner of NFMC to file a voluntary petition (the “Petition”) for relief under chapter 11 of the Bankruptcy Code (the “Chapter 11 Case”) in the Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”) and perform any and all such acts as are reasonable, advisable, expedient, convenient, proper or necessary to effectuate the purpose and intent of the foregoing; and it is

FURTHER RESOLVED that the Managing Member, hereby is authorized, and directed, in the name and on behalf of the Corporation as General Partner of NFMC, to: (a) execute, acknowledge, deliver, and verify, the Petition and all other ancillary documents, and cause the Petition to be filed with the Bankruptcy Court and make or cause to be made prior to execution thereof of any modifications to the Petition or ancillary documents, in his discretion, deems necessary, desirable or appropriate to carry out the intent and accomplish the purpose of these resolutions; (b) execute, acknowledge, deliver, verify and file or cause to be filed all petitions, schedules, statements, lists, motions, applications and other papers or documents necessary or

desirable in connection with the foregoing and the administration of the Corporation's Chapter 11 Case; (c) execute, acknowledge, deliver and verify any and all other documents necessary, desirable or appropriate in connection therewith and to administer the Corporation's Chapter 11 Case in such form or forms as may be deemed necessary or advisable and in order to effectuate the purpose and intent of the foregoing resolutions; and (d) engage any professionals, including attorneys, accountants, financial advisors, investment bankers, actuaries, consultants, liquidators, or brokers she deems necessary, desirable or appropriate to accomplish the purpose of these resolutions; that her authority to act under these resolutions shall be conclusively evidenced by her so acting; and that any and all such actions heretofore taken on behalf of the Corporation in such respects contemplated hereby are hereby ratified, approved and confirmed as the act and deed of the Corporation.

#### **Retention of Professionals**

IT IS RESOLVED that the engagement by the Corporation and NFMC of Windels Marx Lane & Mittendorf, LLP as restructuring counsel is hereby ratified, adopted and approved in all respect; and it is

IT IS RESOLVED that the engagement by the Corporation and NFMC of Gruber Palumberi Raffaele & Fried, CPAs, P.C. as restructuring accountants is hereby ratified, adopted and approved in all respect; and it is

FURTHER RESOLVED that any additional co-counsel or special or local counsel or accountants selected by the Corporation, shall be, and hereby, is authorized, empowered, and directed to represent the NFMC, as debtor and debtor in possession, in connection with the Chapter 11 Case commenced by it under the Bankruptcy Code.

#### **Additional Resolutions**

IT IS RESOLVED that all acts lawfully done or actions lawfully taken by the Managing Member of the Corporation, or any professionals engaged by the Corporation in connection with the NFMC Chapter 11 Case or any proceedings related thereto, or any matter related thereto, be, and hereby are, adopted, ratified, confirmed and approved in all respects as the acts and deeds of the Corporation; and it is

FURTHER RESOLVED that the Managing Member shall be, and hereby, is authorized, directed and empowered, in the name and on behalf of the Corporation and NFMC, as debtor and debtor in possession, to negotiate, execute, delivery, and perform, or cause to be negotiated, executed, delivered, and performed, on behalf of, and take such actions and execute, acknowledge, delivery and verify such agreements, certificates, instruments, guaranties, notices and any and all other documents as any proper officer of the Corporation or NFMC may deem necessary or appropriate to facilitate the transactions contemplated by the foregoing resolutions, as may be deemed necessary, desirable or appropriate.



**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

NINETY-FIVE MADISON COMPANY, L.P.

Debtor.

Chapter 11

Case No.

**CORPORATE OWNERSHIP STATEMENT**

RITA SKLAR, hereby certifies the following to be true subject to penalties of perjury:

1. I am the Managing Member of RAS Property Management LLC, the General Partner of the above-captioned Debtor, Ninety-Five Madison Company, LP (the "Debtor").
2. The Debtor is not a publicly held corporation or other publicly held entity.
3. The Debtor is a New York Limited Partnership.
4. None of the Debtor's equity is held by a publicly held corporation or other publicly held entity.
5. I submit this Statement based upon my personal knowledge and the books and records of the Debtor.

Dated: New York, New York  
March 22, 2021

**NINETY-FIVE MADISON COMPANY, LP**

By: RAS Property Management LLC, General  
Partner

By: Rita Sklar

Name: Rita Sklar

Title: Managing Member

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

NINETY-FIVE MADISON COMPANY, L.P.

Debtor.

Chapter 11

Case No.

**CORPORATE DISCLOSURE STATEMENT**

The undersigned, being the Managing Member of RAS Property Management LLC, the General Partner of the Debtor, Ninety-Five Madison Company, LP hereby states that with the exception of the Lois M. Weinstein Trusts, there are no entities that directly or indirectly own 10% or more of any class of debtor's equity interest.

Dated: New York, New York  
March **22**, 2021

**NINETY-FIVE MADISON COMPANY, LP**

By: RAS Property Management LLC, General  
Partner

By: Rita Sklar

Name: Rita Sklar

Title: Managing Member

**Fill in this information to identify the case:**

Debtor name NINETY-FIVE MADISON COMPANY, LP

United States Bankruptcy Court for the: Southern District of NY  
(State)

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 the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Vitra, Inc. 7528 Walker Way Allentown, PA 18106	Mark Levenson (973) 643-5756 mlevenson@sillscummis.com	Judgment	Contingent/ Disputed			\$1,855,880.00
2	Verill Dana LLP 355 Riverside Avenue Westport, CT 06880	Robert Laplaca, Esq. (203) 222-3110 rlaplaca@verrill-law.com	Legal Services	Disputed			\$875,000.00
3	NYC Department of Finance P.O. Box 680 Newark, NJ 07101--0680		Real Property Taxes	Disputed			\$1,292,470.00
4	Danielle C. Lesser, Esq. Morrison & Cohen 909 Third Avenue New York, NY 10022	Danielle C. Lesser, Esq. (212) 735-8702 dlesser@morrisoncohen.com	Legal Services (Receiver)	Disputed			\$204,140.00
5	Rosenberg Feldman Smith, LLP 520 White Plains Road, Ste. 500 Tarrytown, NY 10591	Michael Smith (212) 682-3454 msmith@rfs-law.com	Legal Services	Disputed		\$3,500,000.00	\$189,328.86
6	Harty Built, LLC 300 Park Avenue, 13th Floor New York, NY 10022	Wayne L. Desimone, Esq. (212) 233-9772 wl-desimone@aol.com	Construction Services	Disputed			\$26,644.50
7	Agir Electrical, Ltd. 61 Plainfield Road Albertson, NY 11507	Stuart R. Berg, Esq. (516) 747-9494 srberglaw@aol.com	Construction Services	Disputed			\$11,494.49
8	Rita A. Sklar 8 East 83rd Street New York, NY 10028	Rita A. Sklar (212) 628-0784	Loans	Disputed			\$355,034.83

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

NINETY-FIVE MADISON COMPANY, L.P.

Debtor.

Chapter 11

Case No.

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2. The Debtor is not a publicly held corporation or other publicly held entity.
3. The Debtor is a New York Limited Partnership.
4. None of the Debtor's equity is held by a publicly held corporation or other publicly held entity.
5. I submit this Statement based upon my personal knowledge and the books and records of the Debtor.

Dated: New York, New York  
March 22, 2021

**NINETY-FIVE MADISON COMPANY, LP**

By: RAS Property Management LLC, General  
Partner

By: Rita Sklar

Name: Rita Sklar

Title: Managing Member

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

NINETY-FIVE MADISON COMPANY, L.P.

Debtor.

Chapter 11

Case No.

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Dated: New York, New York  
March **22**, 2021

**NINETY-FIVE MADISON COMPANY, LP**

By: RAS Property Management LLC, General  
Partner

By: Rita Sklar

Name: Rita Sklar

Title: Managing Member