

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of New York

Case number (if known): _____ Chapter 15

☐ Check if this is an amended filing

Official Form 401

Chapter 15 Petition for Recognition of a Foreign Proceeding

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name Nygard NY Retail, LLC

2. Debtor's unique identifier

For non-individual debtors:

☒ Federal Employer Identification Number (EIN) 2 7 - 0 9 7 1 6 7 2

☐ Other _____ Describe identifier _____

For individual debtors:

☐ Social Security number: xxx - xx- _____

☐ Individual Taxpayer Identification number (ITIN): 9 xx - xx - _____

☐ Other _____ Describe identifier _____

3. Name of foreign representative(s)

Richter Advisory Group Inc.

4. Foreign proceeding in which appointment of the foreign representative(s) occurred

Receivership Proceeding, Court of Queen's Bench Manitoba, Canada, CI 20-01-26627

5. Nature of the foreign proceeding

Check one:

- ☒ Foreign main proceeding
☐ Foreign nonmain proceeding
☐ Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

- ☒ A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.
☐ A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.
☐ Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

- ☐ No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)
☒ Yes

Debtor Nygard NY Retail, LLC Case number (if known) _____
Name

8. Others entitled to notice

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
- (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
- (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.

9. Addresses

Country where the debtor has the center of its main interests:

Canada

Debtor's registered office:

1435 Broadway

Number Street

P.O. Box

New York, NY 10018

City State/Province/Region ZIP/Postal Code

United States of America

Country

Individual debtor's habitual residence:

Address of foreign representative(s):

Number Street

181 Bay Street #3510

Number Street

P.O. Box

P.O. Box

City State/Province/Region ZIP/Postal Code

Toronto, ON M5J 2T3

City State/Province/Region ZIP/Postal Code

Country

Canada

Country

10. Debtor's website (URL)

nygard.com

11. Type of debtor

Check one:

☒ Non-individual (check one):

☐ Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.

☐ Partnership

☒ Other. Specify: Limited Liability Company

☐ Individual

Debtor Nygaard NY Retail, LLC Case number (if known) _____
Name

12. Why is venue proper in *this district*?

Check one:

- ☒ Debtor's principal place of business or principal assets in the United States are in this district.
- ☐ Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district:
- _____
- ☐ If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because:
- _____

13. Signature of foreign representative(s)

I request relief in accordance with chapter 15 of title 11, United States Code.

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition.

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,

X /s/ Gilles Benchaya Richter Advisory Group Inc.
Signature of foreign representative Printed name

Executed on 03/18/2020
MM / DD / YYYY

X _____
Signature of foreign representative Printed name

Executed on _____
MM / DD / YYYY

14. Signature of attorney

X /s/ Steven J. Reisman Date 03/18/2020
Signature of Attorney for foreign representative MM / DD / YYYY

Steven J. Reisman
Printed name

Katten Muchin Rosenman LLP
Firm name

575 Madison Avenue
Number Street

New York NY 10022
City State ZIP Code

(212) 940-8700 sreisman@katten.com
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2434967 NY
Bar number State