

Marc Rassbach
PO Box 39
Milwaukee, WI 53201

RECEIVED MAIL

2014 OCT 22 AM 11:27

US BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

US Courthouse
Room 126
Attn: Bankruptcy Clerk
517 East Wisconsin Ave
Milwaukee, WI 53202-4581

To whom this may concern:

Please file the enclosed in Case 14-31425-PP.

Now it seems I erred in my previous filings in (at least) 2 ways:

- 1) I did not include on each filing a phone number.
- 2) I did not set a series of dates – either for a hearing or for a response due by.

Let me correct the 1st problem. 414-264-6453

As for #2 – I may be very forward and presumptuous in oh, so many ways. But I knew one thing to be true – there was no point in me setting a date for hearing the motions not knowing either the Judge or especially Mr. Foley's busy schedule.

There was little point to setting a response by date given:

- 1) Mr. Foley's typical legal fighting style of picking a legal fight and then hiding.
- 2) Mr. Foley's known mailing address game playing.
- 3) Someone writing "refused" or stamping "return to sender forwarding address expired" on letters along with just not picking up registered letters.

(Lo and behold https://tools.usps.com/go/TrackConfirmAction?qt_c_tLabels1=70141820000189754072

The paperwork I sent Debtor William Foley is on its way back to me.)

Given the above, any date set by myself would be ignored.

Instead I am opting to be heard and schedules set on the 24th of October at the already scheduled creditors hearing. Unless, of course, the Court acts sue sponte and rejects the Chapter 13 before the 24th so there would be no hearing on the 24th of October.

Sincerely – Marc Rassbach



1 UNITED STATES BANKRUPTCY COURT FOR
2 THE EASTERN DISTRICT OF WISCONSIN

3 MARC RASSBACH,
4 Creditor,
5
6 vs.
7 WILLIAM FOLEY,
8 Debtor

) Case No.: 14-31425-PP
)
) AFFIDAVIT OF MARC RASSBACH AS
) TO PURPORTED AFFIDAVIT FROM
) DEBTOR WILLIAM FOLEY
)
)
)

9
10 I, Marc Rassbach do hereby swear upon oath the following is true:

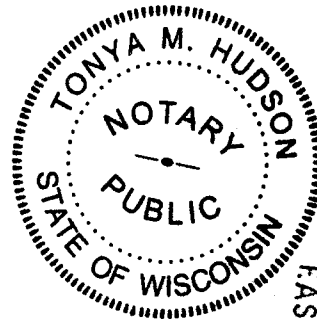
11
12
13 The attached is what purports to be a copy of an affidavit sent to
14 Marc Rassbach from Waukesha 2012SC0400 where Debtor William Foley
15 claims to have no ownership stake in various businesses doing
16 business as "Suburpia".
17

18
19 DATED: October 20, 2014

20
21 _____
MARC RASSBACH
Creditor

22 Subscribed and Sworn to before me
23 on the 20th day of Oct 2014

24
25 _____
26 Notary Public - State of Wisconsin
27 My Commission Expires: 07-12-2015
28



US BANKRUPTCY COURT
EASTERN DISTRICT OF WI

2014 OCT 22 AM 11:26

FILED - MAIL

MARC RASSBACH,

Plaintiff,

vs.

Case No. 2012-SC-400

WILLIAM FOLEY, JEFFREY S DECORA
LAW OFFICE, CHRISTIAN KRAMER,
and JEFFREY DECORA

Defendants.

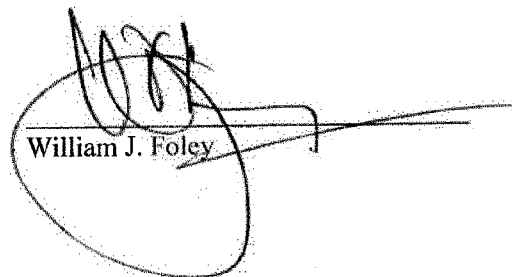
AFFIDAVIT OF WILLIAM J. FOLEY

STATE OF WISCONSIN)
)ss
MILWAUKEE COUNTY)


William J. Foley, being first duly sworn upon oath, deposes, states and swears the following is true:

1. I make this affidavit in support of my defense in the above titled action, Waukesha County Circuit Court Case No. 2012-SC-400.
2. I do not currently have nor have I ever had any ownership stake in Herro Sandwich.
3. I do not currently have nor have I ever had any ownership stake in Mequon Sandwich Kings, Inc.
4. I do not currently have nor have I ever had any ownership stake in Layton Sandwich Kings, Inc.
5. I do not currently have nor have I ever had any ownership stake in Sandwich Kings, LLC.
6. I do not currently have nor have I ever had any ownership stake in Two Sandwich Kings, LLC.

7. I do not currently have nor have I ever had any ownership stake in Three Sandwich Kings, LLC.


William J. Foley

Subscribed and sworn to before me
this 11 day of June, 2012.


Notary Public, State of Wisconsin
My Commission expires: no permanent

23083363_1.DOC

DANIEL S. WELYTOK
Notary Public
State of Wisconsin

1 UNITED STATES BANKRUPTCY COURT FOR
2 THE EASTERN DISTRICT OF WISCONSIN

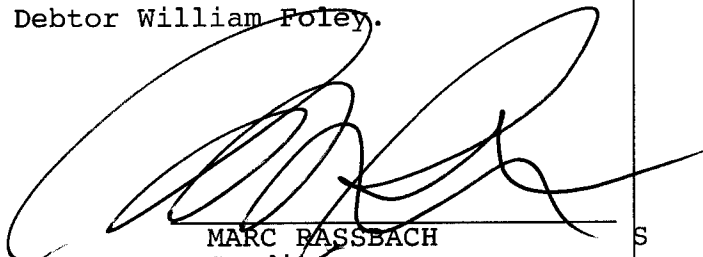
3 MARC RASSBACH,
4 Creditor,
5
6 vs.
7 WILLIAM FOLEY,
8 Debtor

) Case No.: 14-31425-PP
)
) AFFIDAVIT OF MARC RASSBACH AS
) TO THE PUBLIC RECORD IN THE
) FORM OF AN APPLICATION FOR A
) TRADEMARK
)
)
)

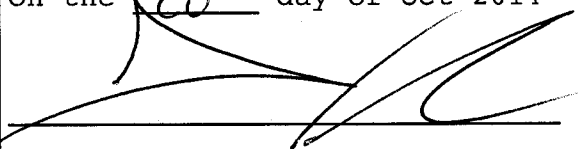
9
10 I, Marc Rassbach do hereby swear upon oath the following is true:

11
12
13 The attached is a true and accurate copy of the trademark
14 application for The Original Suburpia where an electronic signature
15 of "Molly Foley" was used and the same "Molly Foley" used an email
16 address previously associated to Debtor William Foley.
17

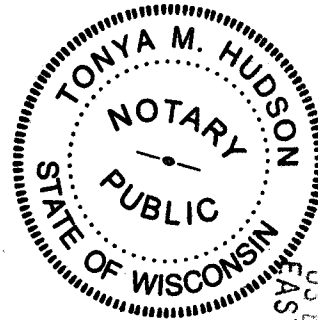
18
19 DATED: October 20, 2014

20
21 
22 _____
23 MARC RASSBACH
24 Creditor

22 Subscribed and Sworn to before me
23 on the 20th day of Oct 2014

24
25 
26 _____
27 Notary Public - State of Wisconsin

28 My Commission Expires: 07-12-2015



FILED - MAIL
2014 OCT 22 AM 11:26
US BANKRUPTCY COURT
EASTERN DISTRICT OF WI

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86025003
 Filing Date: 07/31/2013

*NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	<u>The Original Suburpia</u>
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	The Original Suburpia
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Molly M Foley
DBA/AKA/TA/FORMERLY	DBA The Original Suburpia
*STREET	2264 N Prospect Ave
*CITY	Milwaukee
*STATE (Required for U.S. applicants)	Wisconsin
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	53202
PHONE	414-271-6300

EMAIL ADDRESS	sanwidge@gmail.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
LEGAL ENTITY INFORMATION	
*TYPE	INDIVIDUAL
* COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	043
*IDENTIFICATION	Restaurant and catering services; Restaurant services; Take-out restaurant services
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 11/16/1967
FIRST USE IN COMMERCE DATE	At least as early as 11/16/1967
SPECIMEN FILE NAME(S)	<u>WTICRS\EXPORT16\IMAGEOUT</u> <u>16\860\250\86025003\xml1\FTK0003.JPG</u>
SPECIMEN DESCRIPTION	Photo of trademark in restaurant window
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
CORRESPONDENCE INFORMATION	
*NAME	Molly M Foley
FIRM NAME	Prospect & North Sandwich Kings Inc
*STREET	2264 N Prospect Ave
*CITY	Milwaukee
*STATE (Required for U.S. applicants)	Wisconsin
*COUNTRY	United States

*ZIP/POSTAL CODE	53202
PHONE	414-271-6300
*EMAIL ADDRESS	sanwidgean@gmail.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
* SIGNATURE	/Molly M Foley/
* SIGNATORY'S NAME	Molly M Foley
* SIGNATORY'S POSITION	Owner
SIGNATORY'S PHONE NUMBER	414-271-6300
* DATE SIGNED	07/31/2013

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86025003

Filing Date: 07/31/2013

To the Commissioner for Trademarks:

MARK: The Original Suburpia (Standard Characters, see mark)

The literal element of the mark consists of The Original Suburpia.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Molly M Foley, DBA The Original Suburpia, a citizen of United States, having an address of

2264 N Prospect Ave
Milwaukee, Wisconsin 53202
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 043: Restaurant and catering services; Restaurant services; Take-out restaurant services

In International Class 043, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 11/16/1967, and first used in commerce at least as early as 11/16/1967, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Photo of trademark in restaurant window.

Specimen File1

The applicant's current Correspondence Information:

Molly M Foley
Prospect & North Sandwich Kings Inc
2264 N Prospect Ave
Milwaukee, Wisconsin 53202
414-271-6300(phone)

sanwidgean@gmail.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Molly M Foley/ Date Signed: 07/31/2013
Signatory's Name: Molly M Foley
Signatory's Position: Owner

RAM Sale Number: 86025003
RAM Accounting Date: 08/01/2013

Serial Number: 86025003
Internet Transmission Date: Wed Jul 31 15:58:33 EDT 2013
TEAS Stamp: USPTO/FTK-108.91.186.126-201307311558331
36585-86025003-500ba2e4699c1956144b46105
f8d815479c1d1c61a670e5eee3cd7276017c273-
CC-2964-20130731153701808871

The Original Suburpia



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UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF WISCONSIN

MARC RASSBACH,

Creditor,

vs.

WILLIAM FOLEY,

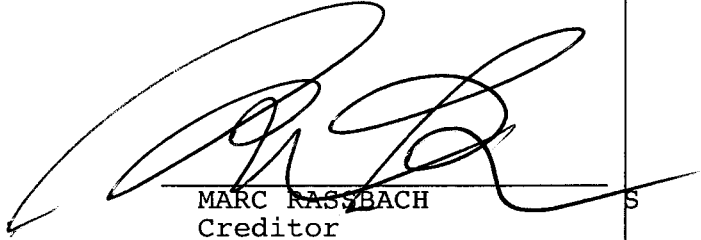
Debtor

) Case No.: 14-31425-PP
)
) AFFIDAVIT OF MARC RASSBACH AS
) TO A RESPONSE FOR TO AN ORDER
) OF THE FINACNIAL DISCLOSURE
)
)
)

I, Marc Rassbach do hereby swear upon oath the following is true:

The attached is what purports to be the response to Waukesha
2011SC1656 by Debtor William Foley.

DATED: October 20, 2014

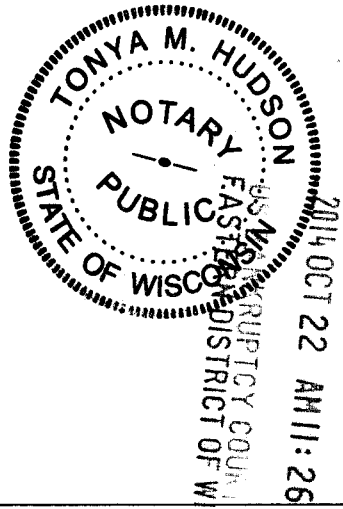


MARC RASSBACH
Creditor

Subscribed and Sworn to before me
on the 20th day of Oct 2014



Notary Public - State of Wisconsin
My Commission Expires: 07-12-2015



Order for Financial Disclosure and Financial Disclosure Statement

Case No. 2011SC001656

IT IS ORDERED THAT the judgment debtor within 15 days of entry of judgment either

- Pay the judgment in full, or
- Accurately complete the following Financial Disclosure Statement and mail or deliver it to the judgment creditor or attorney at the following address:

Name: Dino Antonopoulos
 Address: The Schroeder Group SC
 20800 Swenson Drive, Suite 47
 Waukesha WI 53186

» Failure to comply with this order may be contempt of court and subject you to the following penalties:

Please Note:
 In 1982, I sold my major asset to Festivals, Inc.; in 1984, Festivals, Inc. filed Chapter 7 Liquidation and I was effectively bankrupt. Since 1984, the IRS and WIDOR have routinely searched for assets I might have. Since 1986, neither agency has found any assets. Currently, WIDOR claims I owe the state \$1,100,00+ and the IRS claims I owe \$225,000+.

- Imprisonment for up to 6 months.
- Forfeitures of not more than \$2000 per day.
- Any other order necessary to ensure your compliance.
- Punitive (criminal) sanctions under Wis. Stats. Ch. 785.

BY THE COURT:

06-10-2011

Judgment Date

151 Ralph M. Romney
 Circuit Court Judge / ~~Circuit Court Commissioner~~

06-14-2011

Date

Individuals should complete items 1 - 33 and 35. Corporations should complete items 23 - 31, 34 and 35.

FINANCIAL DISCLOSURE OF ASSETS					
1. Your full name William J. Foley		2. Date of Birth 11-06-1942		3. Number of Dependents None	
4. Your residence address (not P.O. box) 1961 North Summit Avenue			City Milwaukee	State WI	Zip Code 53202
5. Spouse's full name None			8. Do you have a marital property agreement? <input type="checkbox"/> Yes (Attach copy) <input type="checkbox"/> No		
7. Spouse's residence address (if different) None		City	State	Zip Code	Phone No.
9. Your employer's name and address None		9. Gross Wages		10. Paid <input type="checkbox"/> weekly <input type="checkbox"/> biweekly <input type="checkbox"/> monthly	
11. Spouse's employer's name and address None		12. Gross Wages		13. Paid <input type="checkbox"/> weekly <input type="checkbox"/> biweekly <input type="checkbox"/> monthly	
You must complete this information (14-31) for both you and your spouse.					
14. Other employers None		15. Gross Wages		16. Paid <input type="checkbox"/> weekly <input type="checkbox"/> biweekly <input type="checkbox"/> monthly	
17. Pension income (Give name and address of payer) None		18. Amount		19. Paid <input type="checkbox"/> weekly <input type="checkbox"/> biweekly <input type="checkbox"/> monthly	
20. Social Security/Disability/SSI (Give name and address of payer) None		21. Amount		22. Paid <input type="checkbox"/> weekly <input type="checkbox"/> biweekly <input type="checkbox"/> monthly	
23. Checking, savings, financial accounts (List name and address of institution, type of account and amount) None					
24. Automobiles (Give year, make and market value) None					
25. Stocks, bonds, life insurance, IRAs and other financial investments. (List name, number of shares and value) None					26. Other income (Specify)
27. Real estate and other real property interests (List kind of property, location and market value) None					
28. Does anyone owe you money? <input type="checkbox"/> Yes (Attach details) <input checked="" type="checkbox"/> No		29. Is anyone holding any assets or property for you? <input type="checkbox"/> Yes (Attach details) <input checked="" type="checkbox"/> No		30. Amount of cash on hand None	
31. Other assets of value (Give details and values) None					

Complete both pages and sign page 2.

32. Do you believe your earnings are exempt from garnishment? Yes No
 If yes, complete lines A, B, and C as appropriate.

- A. I have received the following need-based public assistance within the last six months:
- Medical assistance Relief funded under Wis. Stats. §59.53(21)
 - Food stamps Relief funded under public assistance
 - Supplemental security income
 - Benefits for veterans under Wis. Stats. §45.351(1) or 38 USC 501-562
- B. I have been determined to be eligible to receive the following need-based public assistance although I have not actually begun to receive those benefits:
- Medical assistance Relief funded under Wis. Stats. §59.53(21)
 - Food stamps Relief funded under public assistance
 - Supplemental security income
 - Benefits for veterans under Wis. Stats. §45.351(1) or 38 USC 501-562
- C. My household income is below the federal poverty line. (Worksheets and schedules for this determination are available in the Clerk of Court's Office.)
- D. At least 25% of my disposable earnings are assigned by the court order for support. ✓

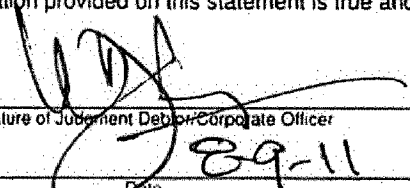
33. Would the garnishment of 20% of your disposable income reduce your household income below the federal poverty line? Yes No

34. Corporation should complete questions 25 - 33, as well as the following:

Name of Corporation Two Sandwich Kings LLC.	Address 1830E Meadow Lane # 7	Taxpayer ID Number 20-4851706
Officers of Corporation and Title	Business Address	Home Address
1. Christian Kramer President	515 N. Glenview, Wauwatosa 53213	Unknown
2.		Unknown
3.		
4.		
Registered Agent Christian Kramer	Address 515 N. Glenview, Wauwatosa 53213	

35. The information provided on this statement is true and correct.

1830E Meadow Lane # 7



 Signature of Judgment Debtor/Corporate Officer

 Date 8-9-11

1 UNITED STATES BANKRUPTCY COURT FOR
2 THE EASTERN DISTRICT OF WISCONSIN

3 MARC RASSBACH,
4 Creditor,

5 vs.

6
7 WILLIAM FOLEY,
8 Debtor

) Case No.: 14-31425-PP
)
) AFFIDAVIT OF MARC RASSBACH AS
) TO THE PUBLIC RECORD AS
) EXPRESSED FROM A WEBSITE
)
)
)
)


9
10 I, Marc Rassbach do hereby swear upon oath the following is true:

11
12
13 The attached is a true and accurate copy of a web page which is a
14 text based summary of a licensing hearing where Debtor William
15 Foley claimed Molly Foley has an ownership stake in a "Suburpia"
16 restaurant.
17

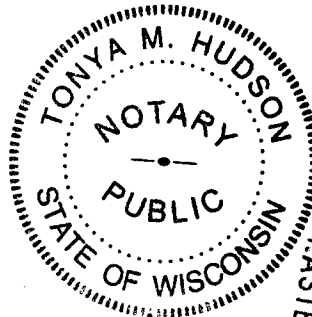
18
19 DATED: Oct 20, 2014

20
21 
MARC RASSBACH
Creditor

22 Subscribed and Sworn to before me
23 on the 20th day of Oct 2014

24
25 
26 Notary Public - State of Wisconsin

27 My Commission Expires: 07-12-2015
28



- 1 -
AFFIDAVIT OF MARC RASSBACH AS TO MOLLY FOLEY

FILED - MAIL
2014 OCT 22 AM 11:26
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF WI

File #	Ver.	Agenda #	Type	Title	Action	Result	Tally	Action Details	Video
				<p>Co-owner of the property at 2745 S 13th St. He states that over the last 15 years he has picked up broken glass and other litter. The litter problem has been reduced, but is still an issue. Individuals appearing in support: Dale Trostorff - Currently holds the license at the location. Security for the establishment patrols the area and picks up litter. Jolene Dzibinski - 2567A S 9th Pl - She works at the bar and has encountered no problems. David Soto-Laveaga - Security guard at the current establishment. He has not observed any altercations. Robert Stein 2722 S 13th St Cornelia Miller - 1310 W Cleveland Ave - She has not observed any litter or problems at the current establishment. Ald. Zielinski moved approval. (Prevailed 3-1, Ald. Coggs voted no, Ald. Kovac excused)</p>					
<u>131079</u>	0		Motion	<p>Motion relating to the recommendations of the Licenses Committee relative to licenses.</p> <p>Minutes note: 06 HIRSCH, Bonnie M, Agent for "RadioShack Corporation", Secondhand Dealer's License Application for "Radio Shack" at 807 E Capitol DR. Atty. Ron Stadler appearing for the applicant. He understands the NEWPRS program. Ald. Coggs moved approval. (4-0, Ald. Kovac excused)</p>	AMENDED	Pass	4:0	Action details	Video
<u>131079</u>	0		Motion	<p>Motion relating to the recommendations of the Licenses Committee relative to licenses.</p> <p>Minutes note: 03 GERMAN-DUNCAN, Marietta D, Agent for "Three Sandwich Kings, LLC", Food Dealer -Restaurant License Transfer Application - Change of Agent and Shareholder for "The Original Suburpia" at 2264 N PROSPECT Av. Atty. Joan Shepard appearing with the applicant. She states that Marietta German is the majority shareholder of the business. Additional individuals appearing: William Foley - 1961 N Summit Ave - He states that he is the representative of his daughter, who is the majority shareholder of Three Sandwich Kings. Ald. Puente moved to hold to the call of the chair. (Prevailed 4-0, Ald. Kovac excused)</p>	AMENDED	Pass	4:0	Action details	Video
<u>131079</u>	0		Motion	<p>Motion relating to the recommendations of the Licenses Committee relative to licenses.</p> <p>Minutes note: 13 KRAMER, Christan, Agent for "Layton Sandwich Kings, Inc.", Food Dealer -Restaurant License</p>	AMENDED	Pass	4:0	Action details	Video

1 UNITED STATES BANKRUPTCY COURT FOR
2 THE EASTERN DISTRICT OF WISCONSIN

3 MARC RASSBACH,
4 Creditor,

5 vs.

6 WILLIAM FOLEY,
7 Debtor

) Case No.: 14-31425-PP
)
) AFFIDAVIT OF MARC RASSBACH AS
) TO THE PUBLIC RECORD IN THE
) FORM OF A WEB SITE THAT SHOWS A
) DOLLAR AMOUNT FOR THE POVERTY
) LEVEL

8
9
10 I, Marc Rassbach do hereby swear upon oath the following is true:

11
12
13 The attached is a true and accurate copy of the public record which
14 purports to be the federal poverty rate.

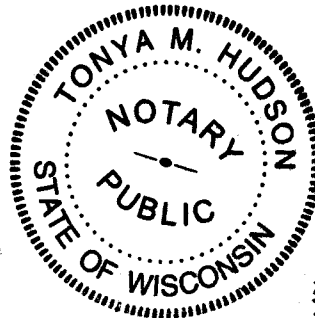
15
16 DATED: October 20, 2014

17
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20 MARC RASSBACH
21 Creditor

22
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28 My Commission Expires: 07-12-2015



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US BANKRUPTCY COURT
EASTERN DISTRICT OF WI

- 1 -
AFFIDAVIT OF MARC RASSBACH AS TO POVERTY



ASPE.hhs.gov
Office of The Assistant Secretary for Planning and Evaluation

Reports | Data & Tools | Policy Offices | Key Initiatives | About

**Computations for the
 2014 Annual Update of the HHS Poverty Guidelines
 for the 48 Contiguous States and the District of Columbia**

(1) Persons in family or household	(2) Poverty thresholds for 2012 — published Sep. 2013 ^{a/}	(3) Column 2 multiplied by 1.015 price inflator ^{b/}	(4) Difference between successive Column 3 entries	(5) Average difference in Column 4 ^{c/}	(6) January 2014 poverty guidelines
1	\$11,720	\$11,896			\$11,670
			\$3,265	\$4,060	
2	14,937	15,161			15,730
			3,397	\$4,060	
3	18,284	18,558			19,790
			5,286	\$4,060	
4	23,492	23,844			23,850 ^{d/}
			4,400	\$4,060	
5	27,827	28,244			27,910
			3,699	\$4,060	
6	31,471	31,943			31,970
			4,336	\$4,060	
7	35,743	36,279			36,030
			4,004	\$4,060	
8	39,688	40,283			40,090

Notes:

a/ Column 2 entries are weighted average poverty thresholds from U.S. Census Bureau, *Current Population Reports, Series P60-245* [PDF], *Income, Poverty, and Health Insurance Coverage in the United States: 2012*, Washington, D.C., U.S. Government Printing Office, September 2013, p. 51.

b/ (The Consumer Price Index (CPI-U) for all items was 229.594 for calendar year 2012 and 232.957 for calendar year 2013, an increase of 1.5 percent.)

c/ The arithmetic average of Column 4 entries, rounded to the nearest multiple of \$20.

d/ Obtained by multiplying the average poverty threshold for a family of four persons for 2012 (\$23,492, from Column 2) by the price increase factor from 2012 to 2013 (1.015) and rounding the result upward to the nearest whole multiple of \$50 (\$23,850). All other entries in Column 6 are obtained by successive addition or subtraction of the average difference (\$4,060) to the size-4 2014 guideline entry (\$23,850).

For Alaska and Hawaii, where the cost of living is traditionally believed to be significantly higher than in other states, scaling factors of 1.25 and 1.15, respectively, are applied to the 2014 guideline for a family or household of four for the 48 contiguous states, and the results (if not already a multiple of \$10) are rounded upward to the nearest whole multiple of \$10. (These scaling factors were based on Office of Economic Opportunity administrative practice for these two states only beginning in the 1966-1970 period.) These scaling factors are applied to the average difference for the 48 contiguous states (Column 5) to obtain average differences for Alaska and Hawaii for deriving guidelines for other family or household sizes; these average differences for Alaska and Hawaii are rounded to the nearest multiple of \$10. For families or households with more than 8 persons, add the following amount for each additional person: \$4,060 (48 contiguous states and the District of Columbia); \$5,080 (Alaska); \$4,670 (Hawaii).

Return to the [2014 Poverty Guidelines page](#).

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1 UNITED STATES BANKRUPTCY COURT FOR
2 THE EASTERN DISTRICT OF WISCONSIN

3 MARC RASSBACH,
4 Creditor,

5 vs.

6
7 WILLIAM FOLEY,
8 Debtor

) Case No.: 14-31425-PP
)
) AFFIDAVIT OF MARC RASSBACH AS
) TO THE PUBLIC RECORD IN THE
) FORM OF NEWSPAPER REPORTING.
)
)
)

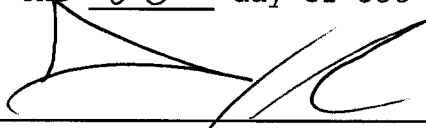
9
10 I, Marc Rassbach do hereby swear upon oath the following is true:

11
12
13 The attached is a true and accurate copy of the public record as
14 expressed from The Journal Interactive which is reporting of on the
15 claims of Debtor William Foley and the reporting of ownership
16 issues due to back taxes.
17

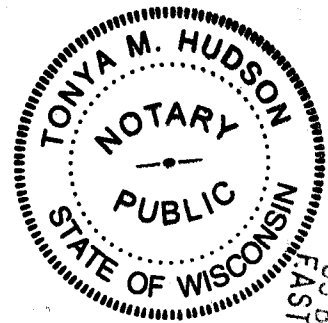
18
19 DATED: October 20, 2014

20
21 
MARC RASSBACH
Creditor

22 Subscribed and Sworn to before me
23 on the 20th day of Oct 2014

24
25 
26 Notary Public - State of Wisconsin

27 My Commission Expires: 07-12-2015
28



- 1 -
AFFIDAVIT OF MARC RASSBACH AS TO FOLEY TAX ISSUES

FILED - MAIL
2014 OCT 22 AM 11:26
US BANKRUPTCY COURT
EASTERN DISTRICT OF WI



Suburpia's ousted founder refuses to give up sandwich spices

Defying court ruling, William J. Foley adds to Tosa store's tangled history

By Rick Romell of the Journal Sentinel
Sept. 16, 2013

Amid a bitter dispute over a small but well-known business, the founder of the Suburpia sandwich shops has been ousted from the tiny chain's busiest location.

Forced by a court ruling, William J. Foley has handed over to former associates the keys to the Wauwatosa store, which revived a business that had thrived in the 1970s before skidding into bankruptcy, being sold to new owners and closing.

But in defiance of a judge's order, Foley has refused to surrender the shop's stock of the spices that help define Suburpia's sandwiches. It's personal property and he'll go to jail rather than turn the supply over, he said.

"I cannot give it up," Foley said Thursday just hours after Milwaukee County Circuit Judge Richard Sankovitz, during a hearing on potential contempt charges, directed him to do exactly that. "I'm not going to. I've spent 45 years doing this, and I've got a strong customer base and I'm not going to give away my family's birthright."

The spice war is the latest twist in what is shaping up as the strangest chapter yet in Suburpia's long, tangled history. It's a chapter that includes Foley's huge tax debt, unusual business arrangements and what Foley describes as a handshake deal with a former friend.

The future script is uncertain, but one possibility is dueling operations, both doing business as Suburpia.

Foley, who started the original Suburpia in 1967, claims primacy.

"There is no Suburpia without Foley," he said. "They have never operated the company, ever."

His friends-turned-foes, alleging misconduct by Foley, say they are the legitimate owners.

"Suburpia's been the icon forever, and we're trying to rock our baby and bring it back to what it should be," Marietta Duncan said last week, standing in the temporarily closed Wauwatosa store.

Duncan — part of the group awarded possession of the Suburpia at 10853 W. Blue Mound Road — is a pivotal figure in the battle. She testified in a deposition that she first met Foley about 20 years ago when he came to see her in her former capacity as an astrologer and consultant.

That was about when Foley was amid his first attempt — ultimately unsuccessful — to revive Suburpia. He had built the chain to more than 20 stores in the '70s, but by 1981 it was in Chapter 11 bankruptcy. The business was reorganized and sold, but three years later it was back in bankruptcy. A new owner bought it and ran it until 1989, then sold most of the shops to Subway and closed the rest.

Foley and Duncan's friendship grew, and by 2005 they were joining forces in yet another re-launching of Suburpia.

Staggering debt

But Foley had a problem: He owed a six-figure debt to the State of Wisconsin for unpaid taxes related to his previous ownership of Suburpia. The tax bill extended to the original business more than two decades earlier and had been fattened by mounting interest and debt that Foley says should be the responsibility of the chain's second owners.

In any event, the total stands at more than \$1.3 million — enough to rank Foley at No. 11 on the state's delinquent-taxpayer list.

Foley already had spent a year in jail for failing to pay sales tax collected during his early-'90s iteration of Suburpia. As he planned the new venture, he didn't want to give the state Department of Revenue leverage to claim its proceeds.

So, Foley said, he and Duncan agreed that she would hold a 50% stake in a company called Sandwich Kings LLC — the largest single share — but that she would hold it on Foley's behalf. Duncan reneged on that deal, Foley said.

Not so, Duncan said. The 50% stake was never Foley's, but hers, she testified.

She said she was given the ownership interest — for no initial investment — for the help she had extended to Foley over the years.

"It was an exchange of kindness," Duncan testified.

Dispute over profits

The other main partner was Christan Kramer, a former home-improvement business owner who also met Foley in the '90s.

Foley ran the business but received no paycheck. He did, however, draw what he called advances from Sandwich Kings' revenue. Who approved these?

"As the largest stockholder, I did," Foley said, "but they weren't great amounts."

Foley describes his withdrawals as appropriate. Duncan and Kramer, Sandwich Kings' president, disagree. Kramer, who testified in a deposition that he initially put close to \$100,000 into the venture, also accuses Foley of hiding profits that should have gone to investors — a charge Foley denies.

The dispute boiled over early this year. On Jan. 8, Sandwich Kings fired Foley, and Kramer had the locks changed at the Wauwatosa shop. But the next day he found it open and running.

"Mr. Foley had taken the locks off of the store," Kramer testified.

The Kramer-Duncan faction said Foley and an associate were using a newly formed company to try to hold possession of the shop — which, in fact, they were able to do, operating as Bluemound Sandwich Kings Inc., until Sankovitz kicked them out on Sept. 6.

The judge gave Foley a few hours to hand over the keys and to "remove any personal belongings from the premises that are not used in the operation of the business."

He turned in the keys, but when he left the shop he also carried out its stock of spices. That, among other things, landed Foley back before Sankovitz last week facing a possible contempt citation.

Foley argues the seasonings are personal property, prepared by a spice company under a nondisclosure agreement with his daughter. But an irritated Sankovitz said Sandwich Kings had paid for its supply and now owns it.

It "appears to the outside world, Mr. Foley, that you're either trying to cripple the business or loot the business," the judge said. Foley later called that characterization "untoward."

Judges says order violated

Sankovitz also had ordered Foley not to operate any Sandwich Kings computers, and the judge was angered when Foley's attorney, Richard Schulz, acknowledged that one of the computers had been booted up. Schulz said Foley's faction needed information on the machine for two other Suburpia shops in the area, which they still operate.

But Sankovitz said that violated a clear order, and he referred to Foley as untrustworthy — drawing objections from Schulz.

The fight appears to be far from finished. As of Friday, Foley still held the spices, but the Wauwatosa Suburpia had reopened and, according to Duncan, was doing "excellent" business.

She wouldn't definitively say how the sandwiches were being seasoned, but said she "probably" was using spices she created. Those spices differ from the old Suburpia spices, "but not much," Duncan has said.

Kramer, meanwhile, said he and his partners should rightfully control not just the Wauwatosa shop but also those at 2264 N. Prospect Ave. and 116 E. Layton Ave.

Both sides are seeking trademarks. Sandwich Kings filed in February for the word *Suburpia*. In July, Foley's daughter applied to trademark *The Original Suburpia*.

And another front in the war may open soon: Last week Foley and an associate applied for a license to operate a fourth Suburpia, in downtown Milwaukee.

Find this article at:

<http://www.jsonline.com/business/suburpias-ousted-founder-refuses-to-give-up-sandwich-spices-b9995352z1-223854841.html>



Check the box to include the list of links referenced in the article.

1 UNITED STATES BANKRUPTCY COURT FOR
2 THE EASTERN DISTRICT OF WISCONSIN

3 MARC RASSBACH,
4 Creditor,
5
6 vs.
7 WILLIAM FOLEY,
8 Debtor

) Case No.: 14-31425-PP
)
) MOTION TO TURN OWNERSHIP
) QUESTIONS OVER TO A GRAND JURY
) AND HAVE SUCH EXAMINE INTO THE
) MATTER.
)
)
)
)

9
10 I Marc Rassbach, as a creditor of William John Foley has standing
11 to move the Court and now moves the Court to forward the matter of
12 ownership of assets which are claimed to be personal to a Grand
13 Jury for investigation.
14

15
16 This now has to be a motion before the Court because the pre-1940
17 path of a citizen presenting directly to a Grand Jury has been
18 disallowed by policy. Had I been able to present to the Grand
19 Jury directly there would be no need for this motion to come before
20 this Court with the need for a Grand Jury to true or not true bill
21 Mr. Foley and therefore render a decision about ownership.
22
23

24
25 As noted in Document 6 on page 2 of 5 Debtor William Foley claimed
26 to have ownership of the car which a document submitted as an
27 affidavit which purports to be the title for the very same car
28

- 1 -
MOTION TO REFER OWNERSHIP TO GRAND JURY

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EASTERN DISTRICT OF WI

1 shows the legal owner to be Layton Sandwich Kings Inc. How the
2 car got from company ownership to be claimed by Debtor William
3 Foley as his own asset is an interesting question.
4

5
6 Mr Foley's later filing does not mention the car but once again
7 mentions computers. I have reasons to believe and do believe that
8 the computers were property of the various Sandwich King LLC
9 entities which Mr. Foley had control over as the General Manager
10 until he was fired and had taken the assets of the very same
11 companies as his own or other the ownership of others such as Molly
12 Foley.
13

14
15 An affidavit has been filed which shows what purports to be William
16 Foley's filled out asset list to settle Waukesha 2011SC1656. Three
17 things are important here. The 1st is William Foley's statement
18 that he would be at the poverty line if his earnings were attached.
19

20
21 Lets if math can solve the riddle of who owns what. The federal
22 poverty line for a single person is \$11,896. Lets just round that
23 up to \$12,000. Or \$1000 a month. If one is above that line by
24 20% lets just make it \$1,200 a month. The affidavit presented to
25 the Court taken from the pubic record in the form of a web page of
26 the Shorecrest shows the rent starting at \$675
27
28

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2
3 This Court system has William Foley's previous filing called 14-
4 24438-gmh where Debtor William Foley claimed to have \$0. If his
5 income was at the 20% poverty threshold and the rent paid the
6 Shorecrest was for the 2 bedroom starting rate of \$1200 the result
7 would be the reported \$0 on bankruptcy and does not leave money to
8 be buying computers.
9

10
11
12 The second important part of the purported asset paperwork from
13 Waukesha 2011SC1656 is number 29. Debtor William Foley states in
14 line item 29 answers NO to the question "Is anyone holding any
15 assets or property for you". For this to be a true answer, the
16 property surrounding Mr. Foley would have to be others that he was
17 using to do his job as the General Manager. But like the keys to
18 the stores he held unto when he was fired it seems Debtor William
19 Foley maintains possession of other assets which were not his like
20 the car or perhaps even the computers. The Spices which Debtor
21 William Foley states are his were something Judge Sankovitz issued
22 an order about on Sept 12th 2013 with "The defendants shall return
23 forthwith to Sandwich Kings all spices, spice containers and spice
24 dispensers removed from the premises on or after September 6,
25 2013." Examination into the records of the Sheriff Department as
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1 to what was taken on the fateful day in Sept. may show no spices
2 taken at all. No spices taken at all under the "automatic stay"
3 makes the demands to have The Court return things due to being
4 under an "automatic stay" all the more problematic from a Justice
5 Point Of View.
6

7
8 The third part is the "please note" section of the Order for
9 Financial Disclosure and Financial Disclosure Statement is where
10 Mr. Fooley says "neither agency has found any assets". Creditor
11 Marc Rassbach has limited ability to request records from 3rd
12 parties and records in the hands of the State or Federal agencies.
13 But what records the Creditor has found shows a disconnect between
14 consensus reality and the claims by Debtor William John Foley.
15 Older records or records outside the bankruptcy filings themselves
16 are beyond the reach of either the US Trustee or the Judge(s) who
17 preside over this case but would not be beyond the reach of a Grand
18 Jury.
19
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22 The truth or lack of truth should therefore be determined by a
23 Grand Jury who would have the power to examine into the records of
24 the Federal and State and see if crimes were committed and who are
25 the real owners in interest of the items being demanded return of.
26 Perhaps that same Grand Jury can ask how the Assets of Three
27
28

1 Sandwich Kings LLC was transferred into the control of Prospect and
2 North Sandwich Kings Incorporated? The public record at the State
3 of Wisconsin level the last time I examined into the record showed
4 no transfer of assets and the only public record with Molly Foley's
5 "signature" is the trademark application showing Molly Foley as
6 Owner. The trademark application is now an affidavit in this
7 bankruptcy case due to the subject matter of who owns what is at
8 issue. In addition so is the one page showing a summary from the
9 City of Milwaukee Licensing meeting noting how William Foley had,
10 under oath and penalty of perjury, had stated Molly Foley was an
11 owner. Contact information for Molly Foley Creditor Marc Rassbach
12 is aware of is as follows:

13 mfatdcs@yahoo.com mollymfoley@gmail.com Feel free to email to
14 obtain contact information. The email sandwidgean@gmail.com was
15 given to Creditor Marc Rassbach as the email for Debtor William
16 Foley – an odd email address for Attorney Molly Foley to use, even
17 if it was for her very own trademark.
18
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22 Parties other than Debtor William Foley actually owning assets like
23 Prospect and North Sandwich Kings Inc or Layton Sandwich Kings Inc
24 owning the car in question would allow Debtor William Foley to
25 correctly claim on Order for Financial Disclosure and Financial
26 Disclosure Statement as having not findable assets of the Debtors.
27
28

1 This would also agree with the Affidavit that purports to be by
2 William Foley's own hand submitted as an affidavit in this case
3 Waukesha 2012SC400 where Debtor William Foley said he was not and
4 never was an owner of various Sandwich King businesses. But such a
5 position is not only at odds where Debtor William Foley claims
6 ownership of cars and computers in this bankruptcy but is also at
7 odds with page two of the public record existing as a Journal
8 Sentinal article submitted as an affidavit where Debtor William
9 Foley states the 50% shares of the Suburpia business where at least
10 in the mind of Debtor William Foley his. As presented in the
11 public record an attempt to avoid claims of other Creditors: "As he
12 planned the new venture, he didn't want to give the state
13 Department of Revenue leverage to claim its proceeds. So, Foley
14 said, he and Duncan agreed that she would hold a 50% stake in a
15 company called Sandwich Kings LLC - the largest single share - but
16 that she would hold it on Foley's behalf."
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23 For the reasons cited above, Creditor Marc Rassbach therefore
24 moves this Court to have the matter of ownership of the items cited
25 as subject to the automatic stay be submitted to a Grand Jury and
26 an answer returned.
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This motion was prepared
by Marc Rassbach



Oct 20 2014

Per local rules:

Marc Rassbach

PO Box 39

Milwaukee, WI 53201

414-264-6453 (forgot to include the phone number in past filings

- mea culpa)

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UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF WISCONSIN

MARC RASSBACH,

Creditor,

vs.

WILLIAM FOLEY,

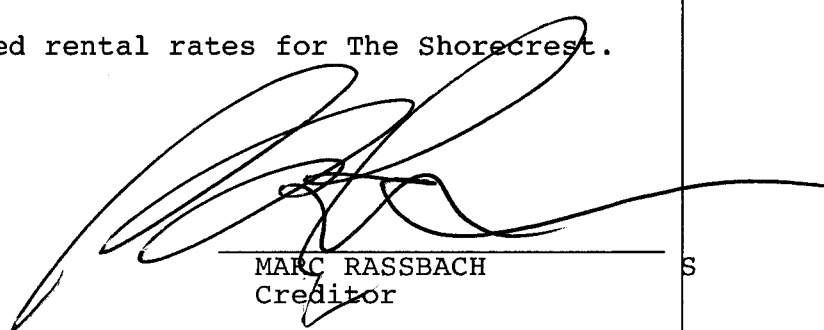
Debtor

) Case No.: 14-31425-PP
)
) AFFIDAVIT OF MARC RASSBACH AS
) TO THE PUBLIC RECORD IN THE
) FORM OF A WEBPAGE SHOWING
) RENTAL RATES
)
)
)

I, Marc Rassbach do hereby swear upon oath the following is true:


The attached is a true and accurate copy of a public record in the
form of a web page which stated rental rates for The Shorecrest.

DATED: October 20, 2014

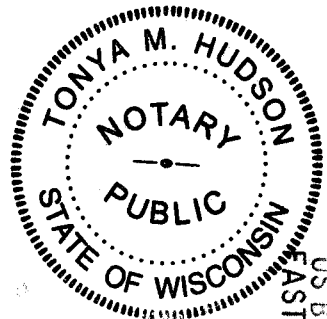


MARC RASSBACH
Creditor

Subscribed and Sworn to before me
on the 20th day of Oct 2014



Notary Public - State of Wisconsin
My Commission Expires: 07-12-2015



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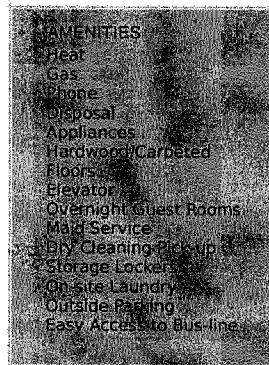
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