# Case 09-01407-BGC11 Doc 1 Filed 03/06/09 Entered 03/06/09 15:48:59 Desc Main Document Page 1 of 10

Brown Service Funeral Ho 1037 50th Place South Birmingham, AL 35222 Harry P. Long Harry P. Long Post Office Box 1468 10 West 11th Street, Sui Anniston, AL 36202 Grover Dunn
Tax Collector

Prime Acquisition Group

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ALABAMA EASTERN DIVISION

In re:	Brown Service Funeral Home West, LLC	Case No
	Debtor	Chapter 11

### VERIFICATION OF CREDITOR MATRIX

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of 1 sheet(s) is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated: 3/6/2009 Signed: s/ Phillip Chrisopher Samuel Modder Phillip Chrisopher Samuel Modder

Signed: /s/ Harry P. Long

Harry P. Long
Attorney for Debtor(s)

Bar no.: **ASB-0546-N77H** 

Harry P. Long Post Office Box 1468 10 West 11th Street, Suite 2A Anniston, AL 36202

Telephone No.: (256) 237-3266 Fax No.: (256) 237-3268 E-mail address: hlonglegal@aol.com B1(Offi (公本家會: 109) (014407-BGC11 Doc 1 Filed 03/06/09 Entered 03/06/09 15:48:59 Desc Main United States Bank Dotwn Centre Page 4 of 10 **Voluntary Petition** Northern District of Alabama **Eastern Division** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): **Brown Service Funeral Home West, LLC** All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more more than one, state all): 20-0337470 than one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 1037 50th Place South Birmingham, AL ZIP CODE ZIP CODE 35222 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business Jefferson Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): 1037 50 Place South ZIP CODE m, AL Birmingha Type of Debtor Chapter of Bankruptcy Code Under Which Nature of Business (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box.) ☐ Health Care Business ☐ Chapter 15 Petition for Chapter 7 Single Asset Real Estate as defined in 11 Recognition of a Foreign Individual (includes Joint Debtors) Chapter 9 U.S.C. § 101(51B) Main Proceeding See Exhibit D on page 2 of this form. Chapter 11 V Railroad Corporation (includes LLC and LLP) ☐ Chapter 15 Petition for Stockbroker Partnership Chapter 12 Recognition of a Foreign ☐ Commodity Broker Other (If debtor is not one of the above entities, Nonmain Proceeding Chapter 13 check this box and state type of entity below.) Clearing Bank Nature of Debts ✓ Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose.' Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes A plan is being filed with this petition Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY ☐ Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors  $\Box$  $\mathbf{\Lambda}$ 1\_ 100-200-1 000-5 001-10 001-25 001-50 001-50-Over 49 199 999 100,000 100,000 99 5.000 10.000 25,000 50.000 Estimated Assets \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$0 to \$500,000,001 More than \$1 \$50,000 \$100,000 to \$100 to \$500 \$500,000 to \$10 to \$50 to \$1 billion billion \$1 million million million million million Estimated Liabilities  $\mathbf{\Lambda}$  $\Box$  $\Box$ \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$0 to \$100,001 to \$500,000,001 More than \$1 to \$10 to \$50 to \$100 to \$500 \$50,000 \$100,000 \$500,000 billion to \$1 billion million million million million million

Voluntary Petition  (This page must be completed and filed in every case)	$N_{\text{and}}$ $Q \in \mathcal{S}_{\text{to}}(s)$ $Q \in \mathcal{S}_{\text{to}}(s)$	
(This page must be completed and filed in every case)	Brown Service Funeral Home West, LL	
	ast 8 Years (If more than two, attach additional sheet.)	-
Location Where Filed: NONE	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner o	or Affiliate of this Debtor (If more than one, attach a	
Name of Debtor: NONE	Case Number:	Date Filed:
District:	Relationship:	Judge:
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	Exhibit B  (To be completed if debtor is whose debts are primarily cor  I, the attorney for the petitioner named in the forego have informed the petitioner that [he or she] may prospect 12, or 13 of title 11, United States Code, and have available under each such chapter. I further certify the debtor the notice required by 11 U.S.C. § 342(b).	nsumer debts)  oing petition, declare that I  oceed under chapter 7, 11,  explained the relief
Exhibit A is attached and made a part of this petition.	X Not Applicable Signature of Attorney for Debtor(s)	Date
Ex	Libit C	
Does the debtor own or have possession of any property that poses or is alleged to pose a  Yes, and Exhibit C is attached and made a part of this petition.  No		lth or safety?
Ext	hibit D	
(To be completed by every individual debtor. If a joint petition is filed, each spouse mus	st complete and attach a separate Exhibit D.)	
Exhibit D completed and signed by the debtor is attached and made a part of t	his petition.	
If this is a joint petition:		
Exhibit D also completed and signed by the joint debtor is attached and made	a part of this petition.	
	rding the Debtor - Venue y applicable box)	
Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180		lays immediately
There is a bankruptcy case concerning debtor's affiliate. general pa	artner, or partnership pending in this District.	
Debtor is a debtor in a foreign proceeding and has its principal pla has no principal place of business or assets in the United States but this District, or the interests of the parties will be served in regard	it is a defendant in an action or proceeding [in a federal	
	des as a Tenant of Residential Property pplicable boxes.)	
Landlord has a judgment against the debtor for possession of debtor	or's residence. (If box checked, complete the following)	
	(Name of landlord that obtained judgment)	
	(Address of landlord)	
Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possession		ted to cure the
Debtor has included in this petition the deposit with the court of a filing of the petition.	ny rent that would become due during the 30-day period	d after the
Debtor certifies that he/she has served the Landlord with this certi-	afication. (11 U.S.C. § 362(1)).	

	6/09 Entered 03/06/09 15:48:59 Descondition, Page 3				
Voluntary Petition Document	Nanege 6 of s10				
(This page must be completed and filed in every case)	Brown Service Funeral Home West, LLC				
Sign	atures				
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative				
I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such	I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.  (Check only <b>one</b> box.)				
chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).	☐ I request relief in accordance with chapter 15 of Title 11, United States Code.  Certified Copies of the documents required by § 1515 of title 11 are attached.  ☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the				
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.				
X Not Applicable	X Not Applicable				
Signature of Debtor	(Signature of Foreign Representative)				
X Not Applicable					
Signature of Joint Debtor	(Printed Name of Foreign Representative)				
Telephone Number (If not represented by attorney)					
Date	Date				
Signature of Attorney	Signature of Non-Attorney Petition Preparer				
X/s/ Harry P. Long					
Signature of Attorney for Debtor(s)  Harry P. Long Bar No. ASB-0546-N77H  Printed Name of Attorney for Debtor(s) / Bar No.	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable				
Harry P. Long Firm Name	by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.				
Post Office Box 1468 10 West 11th Street, Suite 2A					
Address	Not Applicable				
Anniston, AL 36202	Printed Name and title, if any, of Bankruptcy Petition Preparer				
Ainnston, All Jones					
(256) 237-3266 (256) 237-3268	Social-Security number (If the bankruptcy petition preparer is not an individual, state				
Telephone Number 3/6/2009	the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)				
Date  *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Address				
Signature of Dobton (Corporation/Portnorchin)	X Not Applicable				
Signature of Debtor (Corporation/Partnership)  I declare under penalty of perjury that the information provided in this petition is true					
and correct, and that I have been authorized to file this petition on behalf of the	Date				
debtor.  The debtor requests the relief in accordance with the chapter of title 11, United States	Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.				
Code, specified in this petition.  X s/ Phillip Chrisopher Samuel Modder	Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.				
Signature of Authorized Individual	If more than one person prepared this document, attach to the appropriate official form				
Phillip Chrisopher Samuel Modder Printed Name of Authorized Individual	for each person.  A bankruptcy petition preparer's failure to comply with the provisions of title 11 a				
President	the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.				
Title of Authorized Individual	bom. 11 c.s.c. § 110, 10 c.s.c. § 150.				
3/6/2009					
Date					

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## **Northern District of Alabama Eastern Division**

In re:	Brown Service Funeral Home West, LLC	_,	Case No.	
	Debtor		Chapter	11

	Ext	nibit "A" to Volu	untary Petition	
1.	If any of debtor's securities are registere number is .	ed under section 12 of the Secu	rities and Exchange Act of 1934	the SEC file
2.	The following financial data is the lates:	available information and refers	to debtor's condition on .	
a.	Total assets		\$	
b.	Total debts (including debts listed in 2.0	c., below)	\$	3,202.10
				Approximate number of holders
c.	Debt securities held by more than 500	holders.		
	secured unsecured	subordinated		
d.	Number of shares of preferred stock	_		
e.	Number of shares of common stock	_		
	Comments, if any:			
3.	Brief description of debtor's business:			
	7			
4.	List the name of any person who direct voting securities of debtor:	ly or indirectly owns, controls, or	holds, with power to vote, 5% or	more of the

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## **United States Bankruptcy Court**

## Northern District of Alabama

**Eastern Division** 

In re:	Case No. Chapter	11
Brown Service Funeral Home West, LLC	·	
STATEMENT REGARDING AUTHORITY TO SIGN AND	FILE P	ETITION
I, Phillip Christopher Samuel Modder, declare under penalty of perjury that I am the Presiden LLC, a Alabama Corporation and that on 02/01/2009 the following resolution was duly adopted by Corporation:		
"Whereas, it is in the best interest of this Corporation to file a voluntary petition in the United Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;	d States	
Be It Therefore Resolved, that <b>Phillip Chrisopher Samuel Modder</b> , <b>President</b> of this Corporation execute and deliver all documents necessary to perfect the filing of a Chapter 11 voluntary bank Corporation; and		
Be It Further Resolved, that <b>Phillip Chrisopher Samuel Modder</b> , <b>President</b> of this Corporation in all bankruptcy proceedings on behalf of the Corporation, and to otherwise do and perform all deliver all necessary documents on behalf of the Corporation in connection with such bankruptcy.	acts and de	eeds and to execute and
Be It Further Resolved, that <b>Phillip Chrisopher Samuel Modder</b> , <b>President</b> of this Corporation employ <b>Harry P. Long</b> , attorney and the law firm of <b>Harry P. Long</b> to represent the Corporation in		

s/ Phillip Chrisopher Samuel Modder Phillip Christopher Samuel Modder

Executed on: 3/6/2009

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## United States Bankruptcy Court Northern District of Alabama Eastern Division

In re Brown Service Funeral Home West, LLC	,	Case No.	
	Debtor	Chapter	11

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1)

Name of creditor and complete mailing address including zip code (2)

Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted

(3)

Nature of claim (trade debt, bank loan, government contract, etc.) (4)

Indicate if claim is contingent, unliquidated, disputed or subject to setoff (5)

Amount of claim [if secured also state value of security]

**Grover Dunn Tax Collector** 

\$3,202.10

# DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, Phillip Chrisopher Samuel Modder, President of the Corporation named as the foregoing list and that it is true and correct to the best of my information and be	
Date: 3/6/2009 Signature:	s/ Phillip Chrisopher Samuel Modder
	Phillip Chrisopher Samuel Modder ,President (Print Name and Title)

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

B 203 (12/94)

#### UNITED STATES BANKRUPTCY COURT Northern District of Alabama Eastern Division

			Eastern D	IVISIOII			
In re:	<b>Brown Service Funeral</b>	Home West,	LLC		Case No.		
	Debtor				Chapter <u>11</u>		
	DISCLO	SURE O	F COMPEN	ISATION OF ATT BTOR	TORNEY		
and t paid t	uant to 11 U.S.C. § 329(a) and Bar hat compensation paid to me within to me, for services rendered or to be ection with the bankruptcy case is a	one year before e rendered on b	e the filing of the peti	ition in bankruptcy, or agreed to			
F	For legal services, I have agreed to	accept			\$	0.00	
F	Prior to the filing of this statement I	have received			\$	0.00	
E	Balance Due				\$	0.00	
2. The	source of compensation paid to me	was:					
	□ Debtor		Other (specify)				
3. The	source of compensation to be paid	to me is:					
	☐ Debtor	Ø	Other (specify)	to be billed against	to the Modder, Inc. a	ccount	
4. <b>☑</b>	I have not agreed to share the abof my law firm.	ove-disclosed o	compensation with ar	ny other person unless they are	e members and associates	\$	
	I have agreed to share the above my law firm. A copy of the agreed attached.		•	·			
	turn for the above-disclosed fee, I huding:	ave agreed to re	ender legal service fo	or all aspects of the bankruptcy	case,		
a)	Analysis of the debtor's financial a petition in bankruptcy;	situation, and re	endering advice to the	e debtor in determining whethe	er to file		
b)	Preparation and filing of any petit	ion, schedules,	statement of affairs,	and plan which may be require	ed;		
c)	Representation of the debtor at the	ne meeting of cr	editors and confirma	tion hearing, and any adjourne	ed hearings thereof;		
d)	[Other provisions as needed]						
	to be billed at \$325.00 per	_	_		o court approval		
6. By a	agreement with the debtor(s) the abo	ove disclosed fe	e does not include th	ne following services:			
ī	None						
			CERTIFICA	ATION			
	rtify that the foregoing is a complete entation of the debtor(s) in this ban		, ,	angement for payment to me fo	or		
Dated:	3/6/2009						
			<i>ls/</i> Harry F Harry P. L	P. Long ong, Bar No. ASB-0546-	N77H		

Harry P. Long
Attorney for Debtor(s)