

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

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Nicholas Homes, LLC</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>84-1661522</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>1091 Old Rail Road Bed Road Madison, AL</b> ZIP Code <b>35757</b>	Street Address of Joint Debtor (No. and Street, City, and State):  ZIP Code
County of Residence or of the Principal Place of Business: <b>Madison</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <b>1003 Hampton Fall Blvd. Apt. 221 Brownsboro, AL</b> ZIP Code <b>35741</b>	Mailing Address of Joint Debtor (if different from street address):  ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above): <b>1003 Hampton Fall Blvd. Apt. 221 Brownsboro, AL 35741</b>	

<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> 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.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter).  Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> 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 <input type="checkbox"/> 1-49 <input checked="" type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000  Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion  Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	THIS SPACE IS FOR COURT USE ONLY
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<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): <b>Nicholas Homes, LLC</b>
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**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor: <b>- None -</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;"><b>Exhibit A</b></p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p><b>X</b> _____ Signature of Attorney for Debtor(s) (Date)</p>
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**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.

No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this 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.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

Debtor has been domiciled or has had a residence, 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.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

Landlord has a judgment against the debtor for possession of debtor'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 circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

# Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):  
**Nicholas Homes, LLC**

### Signatures

#### Signature(s) of Debtor(s) (Individual/Joint)

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 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 the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Debtor

**X** \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

#### Signature of a Foreign Representative

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 one box.)

I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

#### Signature of Attorney\*

**X** /s/ Kevin D. Heard  
Signature of Attorney for Debtor(s)

Kevin D. Heard ASB-4873-E50K  
Printed Name of Attorney for Debtor(s)

Heard Ary, LLC  
Firm Name

307 Clinton Avenue West  
Civic Plaza Suite 310  
Huntsville, Alabama, 35801

\_\_\_\_\_  
Address

kheard@heardlaw.com; aary@heardlaw.com  
256-535-0817 Fax: 256-535-0818

\_\_\_\_\_  
Telephone Number

May 24, 2011

\_\_\_\_\_  
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.

#### Signature of Non-Attorney Bankruptcy Petition Preparer

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 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.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

**X** \_\_\_\_\_

\_\_\_\_\_  
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

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:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

#### 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 debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ Nicholas B. Johnson  
Signature of Authorized Individual

Nicholas B. Johnson  
Printed Name of Authorized Individual

Managing Member  
Title of Authorized Individual

May 24, 2011

\_\_\_\_\_  
Date

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

In re Nicholas Homes, LLC

Debtor(s)

Case No. \_\_\_\_\_

Chapter 11

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
84 Lumber Company 29005 Old Hwy 20 Madison, AL 35756	84 Lumber Company 29005 Old Hwy 20 Madison, AL 35756			120,000.00
A&L Building Material 1100 George Wallace Highway Russellville, AL 35654	A&L Building Material 1100 George Wallace Highway Russellville, AL 35654	Hardwood		6,974.16
AMP 485 Allied Drive Nashville, TN 37211	AMP 485 Allied Drive Nashville, TN 37211	Open Account		37,376.86
Big Cove Heating and Air 182 L & N Drive Owens Cross Roads, AL 35763	Big Cove Heating and Air 182 L & N Drive Owens Cross Roads, AL 35763	HVAC 2 Sotheby Place		9,480.00
Brooks Electrical 109 Dominion Circle Huntsville, AL 35811	Brooks Electrical 109 Dominion Circle Huntsville, AL 35811	Electrical Services		10,071.25
Contractor's Choice P.O. Box 429 Athens, AL 35612	Contractor's Choice P.O. Box 429 Athens, AL 35612	Dumpster		5,429.74
Douglas and Lourdes Reeves c/o John Higgs 405 Franklin Street Huntsville, AL 35801	Douglas and Lourdes Reeves c/o John Higgs 405 Franklin Street Huntsville, AL 35801	CV10-852	Contingent Unliquidated	11,000.00
Ferguson A Wolseley Company 1708 Elm Hill Pike Nashville, TN 37210	Ferguson A Wolseley Company 1708 Elm Hill Pike Nashville, TN 37210	Plumbing and Lighting Supply		20,541.85
Gobble Fite Lumber Company PO Box 1808 Decatur, AL 35602	Gobble Fite Lumber Company PO Box 1808 Decatur, AL 35602	Lumber		78,319.87
Hawkins Grouns Works, Inc. P.O. Box 147 Athens, AL 35612	Hawkins Grouns Works, Inc. P.O. Box 147 Athens, AL 35612	Sewer Work		8,400.00
Heibert Construction	Heibert Construction	Metal Roof Gutters		3,902.00

Debtor(s)

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
 (Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
<b>Henley Millwork Supply Front &amp; Broad Street P.O. Box 306 Decherd, TN 37324</b>	<b>Henley Millwork Supply Front &amp; Broad Street P.O. Box 306 Decherd, TN 37324</b>	<b>Trim and Windows</b>		<b>43,658.53</b>
<b>Jeff Brown Plumbing 20 Arnett St Madison, AL 35758</b>	<b>Jeff Brown Plumbing 20 Arnett St Madison, AL 35758</b>	<b>Plumbing</b>		<b>6,683.13</b>
<b>Lehigh Hanson 15620 Collections Center Drive Chicago, IL 60693</b>	<b>Lehigh Hanson 15620 Collections Center Drive Chicago, IL 60693</b>	<b>Concrete</b>		<b>23,120.52</b>
<b>Los Primos 3005 Cotton PI Decatur, AL 35603</b>	<b>Los Primos 3005 Cotton PI Decatur, AL 35603</b>	<b>Paint Labor</b>		<b>4,830.00</b>
<b>Marjam - Long Island 885 Conkin St Farmingdale, NY 11735</b>	<b>Marjam - Long Island 885 Conkin St Farmingdale, NY 11735</b>	<b>Sheet Rock</b>		<b>7,389.17</b>
<b>Reed Contracting Services 4704 Union Grove Road Union Grove, AL 35175</b>	<b>Reed Contracting Services 4704 Union Grove Road Union Grove, AL 35175</b>	<b>Concrete</b>		<b>12,992.95</b>
<b>Triton Stone 108 Von Braun Huntsville, AL 35806</b>	<b>Triton Stone 108 Von Braun Huntsville, AL 35806</b>	<b>Tile</b>		<b>5,247.70</b>
<b>Uriostequi Construction 1827 5th Ave SW Decatur, AL 35602</b>	<b>Uriostequi Construction 1827 5th Ave SW Decatur, AL 35602</b>	<b>Brick Labor</b>		<b>10,018.00</b>
<b>Valley Overhead Door, Inc. PO Box 5858 Decatur, AL 35601</b>	<b>Valley Overhead Door, Inc. PO Box 5858 Decatur, AL 35601</b>	<b>Garage Doors</b>		<b>6,588.00</b>

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

I, the Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date May 24, 2011

Signature /s/ Nicholas B. Johnson  
**Nicholas B. Johnson**  
**Managing Member**

*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.

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

In re Nicholas Homes, LLC

Debtor

Case No. \_\_\_\_\_

Chapter 11

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	1,307,760.88		
B - Personal Property	Yes	4	27,825.00		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	2		1,122,811.88	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	10		457,503.53	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedules		20			
Total Assets			1,335,585.88		
Total Liabilities				1,580,315.41	

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

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

Chapter 11

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

**State the following:**

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column		
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		
4. Total from Schedule F		
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		

In re Nicholas Homes, LLC  
 Debtor

Case No. \_\_\_\_\_

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
2 Sotheby Place Gurley, Alabama 35748		-	524,900.00	371,451.00
25835 Winterwood Drive Madison, Alabama 35756		-	224,900.00	191,200.00
15793 Trey Hughes Drive Harvest, Alabama 35749		-	179,900.00	161,000.00
L-34 and 35 Brentwood Village Subdivision		-	90,209.92	90,209.92
L-187 and 188 Hampton Ridge Subdivision		-	127,950.96	127,950.96
15790 Trey Hughes Drive Harvest, Alabama 35749		-	159,900.00	161,000.00

Sub-Total > **1,307,760.88** (Total of this page)  
 Total > **1,307,760.88**  
 (Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property

In re Nicholas Homes, LLC  
 Debtor

Case No. \_\_\_\_\_

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Worthington Federal	-	0.00
3. Security deposits with public utilities, telephone companies, landlords, and others.		Huntsville Utilities	-	2,000.00
4. Household goods and furnishings, including audio, video, and computer equipment.	X			
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.	X			
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			
			Sub-Total >	2,000.00
			(Total of this page)	

2 continuation sheets attached to the Schedule of Personal Property

In re Nicholas Homes, LLC,  
 Debtor

Case No. \_\_\_\_\_

**SCHEDULE B - PERSONAL PROPERTY**  
 (Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	<b>X</b>			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<b>X</b>			
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			
16. Accounts receivable.		<b>Possible Real Estate Closing</b>	-	<b>4,500.00</b>
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	<b>X</b>			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	<b>X</b>			

Sub-Total > **4,500.00**  
 (Total of this page)

Sheet 1 of 2 continuation sheets attached to the Schedule of Personal Property

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>2006 Toyota Landcruiser</b>	-	<b>8,000.00</b>
		<b>2006 Ford F-150 4X4</b>	-	<b>7,000.00</b>
		<b>2007 Ford F-150</b>	-	<b>5,000.00</b>
26. Boats, motors, and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.		<b>See Attached List</b>	-	<b>1,325.00</b>
29. Machinery, fixtures, equipment, and supplies used in business.	<b>X</b>			
30. Inventory.	<b>X</b>			
31. Animals.	<b>X</b>			
32. Crops - growing or harvested. Give particulars.	<b>X</b>			
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			
35. Other personal property of any kind not already listed. Itemize.	<b>X</b>			

Sub-Total >	<b>21,325.00</b>
(Total of this page)	
Total >	<b>27,825.00</b>

Sheet 2 of 2 continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

<b>Office Equipment</b>	
<b>Item</b>	<b>Value</b>
Dell Laptop - Vostro 1000	\$ 100.00
Sony Vaio	\$ 100.00
Dell PC - Vostro 200	\$ 200.00
Brother HL5250DN	\$ 50.00
Brother 9420CN	\$ 100.00
3 Desks	\$ 150.00
5 Filing Cabinets	\$ 250.00
Conference Table	\$ 75.00
8 Office Chairs	\$ 300.00
<b>Total</b>	<b>\$ 1,325.00</b>

In re Nicholas Homes, LLC  
Debtor

Case No. \_\_\_\_\_

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor" ,include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R H W J C	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN						
Account No. <b>xxx8483</b> <b>Creditor #: 1</b> <b>CB&amp;S Bank</b> <b>4009 University Drive NW</b> <b>Huntsville, AL 35810</b>	-	<b>L-34 and 35</b> <b>Brentwood Village Subdivision</b>					<b>90,209.92</b>	<b>0.00</b>
		Value \$ <b>90,209.92</b>					<b>90,209.92</b>	<b>0.00</b>
Account No. <b>xxxxxx0638</b> <b>Creditor #: 2</b> <b>Compass Bank</b> <b>114 Governors Drive Southeast</b> <b>Huntsville, AL 35801</b>	-	<b>L-187 and 188</b> <b>Hampton Ridge Subdivision</b>					<b>127,950.96</b>	<b>0.00</b>
		Value \$ <b>127,950.96</b>					<b>127,950.96</b>	<b>0.00</b>
Account No. <b>xxxx2640</b> <b>Creditor #: 3</b> <b>Ford Motor Credit</b> <b>PO box 467369</b> <b>Atlanta, GA 31146</b>	-	<b>2006 Ford F-150 4X4</b>					<b>7,000.00</b>	<b>0.00</b>
		Value \$ <b>7,000.00</b>					<b>7,000.00</b>	<b>0.00</b>
Account No. <b>xxxx2502</b> <b>Creditor #: 4</b> <b>Ford Motor Credit</b> <b>PO box 467369</b> <b>Atlanta, GA 31146</b>	-	<b>2007 Ford F-150</b>					<b>5,000.00</b>	<b>0.00</b>
		Value \$ <b>5,000.00</b>					<b>5,000.00</b>	<b>0.00</b>
Subtotal							<b>230,160.88</b>	<b>0.00</b>
(Total of this page)								

1 continuation sheets attached

In re Nicholas Homes, LLC  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B T O R H W J C	Husband, Wife, Joint, or Community			C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN							
Account No. xxx-xx-xxxxxxxxxx3853 Creditor #: 5 Southeast Toyota Finance PO Box 96024 Charlotte, NC 28296	-	2006 Toyota Landcruiser							
		Value \$	8,000.00				8,000.00	0.00	
Account No. xxxxx0237 Creditor #: 6 Worthington Federal Bank 3301 Memorial Parkway Southwest Huntsville, AL 35801	-	2 Sotheby Place Gurley, Alabama 35748							
		Value \$	524,900.00				371,451.00	0.00	
Account No. xxxxx0248 Creditor #: 7 Worthington Federal Bank 3301 Memorial Parkway Southwest Huntsville, AL 35801	-	25835 Winterwood Drive Madison, Alabama 35756							
		Value \$	224,900.00				191,200.00	0.00	
Account No. xxxxx0143 Creditor #: 8 Worthington Federal Bank 3301 Memorial Parkway Southwest Huntsville, AL 35801	-	15793 Trey Hughes Drive Harvest, Alabama 35749							
		Value \$	179,900.00				161,000.00	0.00	
Account No. xxxxx0144 Creditor #: 9 Worthington Federal Bank 3301 Memorial Parkway Southwest Huntsville, AL 35801	-	15790 Trey Hughes Drive Harvest, Alabama 35749							
		Value \$	159,900.00				161,000.00	1,100.00	
Subtotal (Total of this page)							892,651.00	1,100.00	
Total (Report on Summary of Schedules)							1,122,811.88	1,100.00	

Sheet 1 of 1 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

In re Nicholas Homes, LLC

Case No. \_\_\_\_\_

Debtor

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

 **Domestic support obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

 **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

 **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

 **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

 **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

 **Deposits by individuals**

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

 **Taxes and certain other debts owed to governmental units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

 **Commitments to maintain the capital of an insured depository institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

 **Claims for death or personal injury while debtor was intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

0 continuation sheets attached

In re Nicholas Homes, LLC  
Debtor

Case No. \_\_\_\_\_

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. <b>Creditor #: 1</b> <b>84 Lumber Company</b> <b>29005 Old Hwy 20</b> <b>Madison, AL 35756</b>	-					<b>120,000.00</b>
Account No. <b>Creditor #: 2</b> <b>A&amp;L Building Material</b> <b>1100 George Wallace Highway</b> <b>Russellville, AL 35654</b>	-	<b>Hardwood</b>				<b>6,974.16</b>
Account No. <b>Creditor #: 3</b> <b>Alabama Concrete</b> <b>4200 Stringfield Road</b> <b>Huntsville, AL 35806</b>	-	<b>CV10-901257</b>				<b>Unknown</b>
Account No. <b>Creditor #: 4</b> <b>AMP</b> <b>485 Allied Drive</b> <b>Nashville, TN 37211</b>	-	<b>Open Account</b>				<b>37,376.86</b>
Subtotal (Total of this page)						<b>164,351.02</b>

9 continuation sheets attached

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community			A M O U N T O F C L A I M			
		H W J C	D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M. I F C L A I M I S S U B J E C T T O S E T O F F, S O S T A T E.	C O N T I N G E N T		U N L I Q U I D A T E D	D I S P U T E D	
Account No. <b>Creditor #: 5</b> <b>AT&amp;T</b> <b>P.O. Box 105503</b> <b>Atlanta, GA 30348</b>			<b>Office Phones</b>					<b>182.08</b>
Account No. xxxxxxxx4967 <b>Creditor #: 6</b> <b>AT&amp;T Mobility</b> <b>P.O. Box 536216</b> <b>Atlanta, GA 30353-6216</b>			<b>Open Account</b>					<b>123.79</b>
Account No. <b>Creditor #: 7</b> <b>Athens Utilities</b> <b>PO Box 1089</b> <b>Athens, AL 35612</b>			<b>Open Account</b>					<b>155.91</b>
Account No. <b>Creditor #: 8</b> <b>Big Cove Heating and Air</b> <b>182 L &amp; N Drive</b> <b>Owens Cross Roads, AL 35763</b>			<b>HVAC</b> <b>2 Sotheby Place</b>					<b>9,480.00</b>
Account No. <b>Creditor #: 9</b> <b>Brooks Electrical</b> <b>109 Dominion Circle</b> <b>Huntsville, AL 35811</b>			<b>Electrical Services</b>					<b>10,071.25</b>
Sheet no. <u>1</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							Subtotal (Total of this page)	<b>20,013.03</b>

In re Nicholas Homes, LLC,  
 Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
 (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>Creditor #: 10</b> <b>Cabinet Connection</b> 19544 Hwy 43 Russellville, AL 35654	-		<b>Cabinets</b>				<b>800.00</b>
Account No. <b>Creditor #: 11</b> <b>Concrete by Design</b> 6481 Hwy 431 Owens Cross Roads, AL 35763	-		<b>Concrete Labor</b> <b>2 Sotheby</b>				<b>1,966.50</b>
Account No. <b>Creditor #: 12</b> <b>Consumers Insurance</b> P.O. Box 12129 Murfreesboro, TN 37129	-		<b>Auto Insurance</b>				<b>2,160.98</b>
Account No. <b>Creditor #: 13</b> <b>Contractor's Choice</b> P.O. Box 429 Athens, AL 35612	-		<b>Dumpster</b>				<b>5,429.74</b>
Account No. <b>Creditor #: 14</b> <b>Cumberland Materials, Inc.</b> 1710 61st Avenue North □□ Nashville, TN 37209	-		<b>CV10-900087</b>				<b>Unknown</b>
Sheet no. <u>2</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)	<b>10,357.22</b>

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M. I F C L A I M I S S U B J E C T T O S E T O F F, S O S T A T E.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	A M O U N T O F C L A I M	
		H W J C						
Account No. <b>Creditor #: 15</b> <b>Don Page Stairs</b> <b>P.O. Box 7008</b> <b>Huntsville, AL 35807</b>	-		<b>Stair Material</b>				<b>2,410.56</b>	
Account No. <b>Creditor #: 16</b> <b>Douglas and Lourdes Reeves</b> <b>c/o John Higgs</b> <b>405 Franklin Street</b> <b>Huntsville, AL 35801</b>	-		<b>CV10-852</b>	<b>X</b>	<b>X</b>		<b>11,000.00</b>	
Account No. <b>Creditor #: 17</b> <b>Ferguson</b> <b>A Wolseley Company</b> <b>1708 Elm Hill Pike</b> <b>Nashville, TN 37210</b>	-		<b>Plumbing and Lighting Supply</b>				<b>20,541.85</b>	
Account No. <b>Creditor #: 18</b> <b>Frakes Foam Insulation</b> <b>P.O. Box 266</b> <b>Huntsville, AL 35804</b>	-		<b>Wall Insulation</b>				<b>2,270.00</b>	
Account No. <b>Creditor #: 19</b> <b>Gobble Fite Lumber Company</b> <b>PO Box 1808</b> <b>Decatur, AL 35602</b>	-		<b>Lumber</b>				<b>78,319.87</b>	
Sheet no. <u>3</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							Subtotal (Total of this page)	<b>114,542.28</b>

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. <b>Creditor #: 20</b> <b>Hampton Ridge Homeowners</b> <b>Association</b> <b>c/o Joshua White</b> <b>P.O. Box 307</b> <b>Huntsville, AL 35804</b>	-	<b>CV10-1303</b>				<b>Unknown</b>
Account No. <b>Creditor #: 21</b> <b>Hawkins Grouns Works, Inc.</b> <b>P.O. Box 147</b> <b>Athens, AL 35612</b>	-	<b>Sewer Work</b>				<b>8,400.00</b>
Account No. <b>Creditor #: 22</b> <b>Heibert Construction</b>	-	<b>Metal Roof</b> <b>Gutters</b>				<b>3,902.00</b>
Account No. <b>Creditor #: 23</b> <b>Henley Millwork Supply</b> <b>Front &amp; Broad Street</b> <b>P.O. Box 306</b> <b>Decherd, TN 37324</b>	-	<b>Trim and Windows</b>				<b>43,658.53</b>
Account No. <b>Creditor #: 24</b> <b>Hoffman Landscaping &amp; Irrigation</b> <b>284 Brevard Boulevard</b> <b>Huntsville, AL 35811</b>	-	<b>Sprinkler System</b>				<b>2,000.00</b>
Sheet no. <u>4</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims					Subtotal (Total of this page)	<b>57,960.53</b>

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>Creditor #: 25</b> <b>Integration, LLC</b> <b>7910 Memorial Parkway SW</b> <b>Ste F1</b> <b>Huntsville, AL 35802</b>	-		<b>Web Site</b>				<b>150.00</b>
Account No. <b>Creditor #: 26</b> <b>Iron Works</b> <b>7024 Green Brier Road</b> <b>Madison, AL 35757</b>	-		<b>Mail Boxes</b>				<b>500.00</b>
Account No. <b>Creditor #: 27</b> <b>Jeff Brown Plumbing</b> <b>20 Arnett St</b> <b>Madison, AL 35758</b>	-		<b>Plumbing</b>				<b>6,683.13</b>
Account No. <b>Creditor #: 28</b> <b>Keith Couch</b> <b>c/o Tom McGrath</b> <b>P.O. Box 2469</b> <b>Huntsville, AL 35804</b>	-		<b>CV10-900014</b>				<b>Unknown</b>
Account No. <b>Creditor #: 29</b> <b>Kirkland Pest Control</b> <b>P.O. Box 444</b> <b>Fayetteville, TN 37334</b>	-		<b>Soil Treatment</b>				<b>Unknown</b>
Sheet no. <u>5</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)	<b>7,333.13</b>

In re Nicholas Homes, LLC, Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>Creditor #: 30</b> <b>Knology</b> <b>P.O. Box 756</b> <b>West Point, GA 31833</b>	-		<b>Internet</b>				<b>176.69</b>
Account No. <b>Creditor #: 31</b> <b>Lake Forest Home Owners</b> <b>Association</b> <b>c/o Harold Mooty</b> <b>P. O. Box 2087</b> <b>Huntsville, AL 35804</b>	-		<b>CV11-133</b>				<b>Unknown</b>
Account No. <b>Creditor #: 32</b> <b>Lehigh Hanson</b> <b>15620 Collections Center Drive</b> <b>Chicago, IL 60693</b>	-		<b>Concrete</b>				<b>23,120.52</b>
Account No. <b>Creditor #: 33</b> <b>Limestone County Water</b> <b>17218 US Highway 72</b> □ □ <b>Athens, AL 35611</b>	-		<b>Open Account</b>				<b>207.04</b>
Account No. <b>Creditor #: 34</b> <b>Living Water Trim</b> <b>1810 Gary Mont St</b> <b>Decatur, AL 35603</b>	-		<b>Trim Labor</b>				<b>500.00</b>
Sheet no. <u>6</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)	<b>24,004.25</b>

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M. I F C L A I M I S S U B J E C T T O S E T O F F, S O S T A T E.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	A M O U N T O F C L A I M	
		H W J C						
Account No. <b>Creditor #: 35</b> <b>Los Primos</b> <b>3005 Cotton Pl</b> <b>Decatur, AL 35603</b>		-	<b>Paint Labor</b>				<b>4,830.00</b>	
Account No. <b>Creditor #: 36</b> <b>Maples and Ray, PC</b> <b>401 Holmes Ave NE Ste H</b> <b>Huntsville, AL 35801</b>		-	<b>Open Account</b>				<b>780.00</b>	
Account No. <b>Creditor #: 37</b> <b>Marjam - Long Island</b> <b>885 Conkin St</b> <b>Farmingdale, NY 11735</b>		-	<b>Sheet Rock</b>				<b>7,389.17</b>	
Account No. <b>Creditor #: 38</b> <b>Mendoza Stone</b> <b>16527 Fort Hampton Road</b> <b>Elkmont, AL 35620</b>		-	<b>Tile Labor</b>				<b>3,847.00</b>	
Account No. <b>Creditor #: 39</b> <b>Precision Interiors</b> <b>172 Farmington Drive</b> <b>Harvest, AL 35749</b>		-	<b>Trim Labor</b>				<b>700.00</b>	
Sheet no. <u>7</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							Subtotal (Total of this page)	<b>17,546.17</b>

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>Creditor #: 40</b> <b>Reed Contracting Services</b> <b>4704 Union Grove Road</b> <b>Union Grove, AL 35175</b>			<b>Concrete</b>				<b>12,992.95</b>
Account No. <b>Creditor #: 41</b> <b>Russ Crumbley</b> <b>1108 Andrew Jackson Way</b> □□□□ <b>Huntsville, AL 35801</b>			<b>Open Account</b>				<b>Unknown</b>
Account No. <b>Creditor #: 42</b> <b>Sexton Welding</b> <b>3815 Governors Drive West</b> <b>Huntsville, AL 35805</b>							<b>112.28</b>
Account No. <b>Creditor #: 43</b> <b>Sprint</b> <b>P.O. Box 4181</b> <b>Carol Stream, IL 60197</b>			<b>Cell Phones</b>				<b>331.64</b>
Account No. <b>Creditor #: 44</b> <b>Sun Valley Sod</b> <b>2031 Fisher Street</b> <b>Huntsville, AL 35803</b>			<b>Sod</b>				<b>3,495.00</b>
Sheet no. <u>8</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)	<b>16,931.87</b>

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.					
Account No. <b>Creditor #: 45</b> <b>Tennessee Valley Sign</b> <b>301 Thomas French Drive</b> <b>Scottsboro, AL 35769</b>			<b>Signs</b>				<b>1,310.33</b>	
Account No. <b>Creditor #: 46</b> <b>Tonya Dennis</b>			<b>Judgment</b>				<b>1,300.00</b>	
Account No. <b>Creditor #: 47</b> <b>Triton Stone</b> <b>108 Von Braun</b> <b>Huntsville, AL 35806</b>			<b>Tile</b>				<b>5,247.70</b>	
Account No. <b>Creditor #: 48</b> <b>Uriostequi Construction</b> <b>1827 5th Ave SW</b> <b>Decatur, AL 35602</b>			<b>Brick Labor</b>				<b>10,018.00</b>	
Account No. <b>Creditor #: 49</b> <b>Valley Overhead Door, Inc.</b> <b>PO Box 5858</b> <b>Decatur, AL 35601</b>			<b>Garage Doors</b>				<b>6,588.00</b>	
Sheet no. <u>9</u> of <u>9</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							Subtotal (Total of this page)	<b>24,464.03</b>
							Total (Report on Summary of Schedules)	<b>457,503.53</b>

In re Nicholas Homes, LLC,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.
<b>Real Sales Contract</b>	<b>15793 Trey Hughes Harvest, Alabama 35749</b>

In re Nicholas Homes, LLC  
Debtor

Case No. \_\_\_\_\_

### SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
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0 continuation sheets attached to Schedule of Codebtors

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

In re **Nicholas Homes, LLC**

Debtor(s)

Case No.

Chapter **11**

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 22 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date **May 24, 2011**

Signature **/s/ Nicholas B. Johnson**

**Nicholas B. Johnson  
Managing Member**

*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.

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

In re Nicholas Homes, LLC

Debtor(s)

Case No.

Chapter

11

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

*DEFINITIONS*

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

**1. Income from employment or operation of business**

None  State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
<b>\$12,981.60</b>	<b>2011 Income</b>
<b>\$18,750.00</b>	<b>2010 Income</b>

**2. Income other than from employment or operation of business**

None  State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
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### 3. Payments to creditors

None  Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
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None  b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
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None  c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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### 4. Suits and administrative proceedings, executions, garnishments and attachments

None  a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
Lake Forest Home Owners Association v. Nicholas Homes, LLC CV11-133	Real Property	Circuit Court of Madison County, Alabama	Active
Douglas Reeves and Lourdes Reeves v. Nicholas Homes, LLC CV10-852	Contract	In the Circuit Court of Madison County, Alabama	Active
Hampton Ridge Homeowners Association v. Nicholas Homes, LLC CV10-1303	TRO	In the Circuit Court of Madison County, Alabama	Active
Alabama Concrete Company, Inc., v. Nicholas Homes, LLC et al. CV10-901257	Contract	In the Circuit Court of Madison County, Alabama	Disposed
Cumberland Materials v. Nicholas Homes, LLC et al. CV10-900087	Collection	In the Circuit Court of Madison County, Alabama	Disposed
Keith Couch v. NTS Builders et al. CV10-900014	Negligence	In the Circuit Court of Madison County, Alabama	Disposed

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
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**Tonya Dennis**

- None  b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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#### 5. Repossessions, foreclosures and returns

- None  List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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#### 6. Assignments and receiverships

- None  a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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- None  b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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#### 7. Gifts

- None  List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
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#### 8. Losses

- None  List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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**9. Payments related to debt counseling or bankruptcy**

- None  List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
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**10. Other transfers**

- None  a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
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- None  b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY
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**11. Closed financial accounts**

- None  List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
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**12. Safe deposit boxes**

- None  List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
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**13. Setoffs**

- None  List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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**14. Property held for another person**

- None  List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER      DESCRIPTION AND VALUE OF PROPERTY      LOCATION OF PROPERTY

**15. Prior address of debtor**

None  If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS      NAME USED      DATES OF OCCUPANCY

**16. Spouses and Former Spouses**

None  If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

**17. Environmental Information.**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None  a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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None  b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
-----------------------	---------------------------------------	----------------	-------------------

None  c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
---------------------------------------	---------------	-----------------------

**18 . Nature, location and name of business**

- None  a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

NAME	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Nicholas Homes, LLC	84-1661522	1091 Old Rail Road Bed Road Madison, AL 35757	Contractor/Residential Homes	11/2004 - Present

- None  b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME	ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

*(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

**19. Books, records and financial statements**

- None  a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	DATES SERVICES RENDERED
Richard K. Johnson 4109 Garth Road Huntsville, AL 35802	11/2004 - 10-2010
Karen M. Cockrell 115 Springfield Lane Madison, AL 35758	10/2010 - 4/2011

- None  b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME	ADDRESS	DATES SERVICES RENDERED

- None  c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME  
**Crabtree, Rowe and Berger**  
**Accounting firm that does taxes**

ADDRESS  
**3626 Memorial Parkway SW**  
**Huntsville, AL 35801**

- None  d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS  
**Worthington Federal Bank**  
**3301 Memorial Parkway Southwest**  
**Huntsville, AL 35801**

DATE ISSUED

## 20. Inventories

- None  a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY  
 (Specify cost, market or other basis)

- None  b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY  
 RECORDS

## 21 . Current Partners, Officers, Directors and Shareholders

- None  a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

- None  b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS  
**Nicholas B. Johnson**  
**1003 Hampton Fall Blvd.**  
**Apt. 221**  
**Brownsboro, AL 35741**

TITLE  
**Managing Member**

NATURE AND PERCENTAGE  
 OF STOCK OWNERSHIP  
**100%**

## 22 . Former partners, officers, directors and shareholders

- None  a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF WITHDRAWAL

- None  b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

---

**23 . Withdrawals from a partnership or distributions by a corporation**

- None  If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
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**24. Tax Consolidation Group.**

- None  If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION	TAXPAYER IDENTIFICATION NUMBER (EIN)
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**25. Pension Funds.**

- None  If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND	TAXPAYER IDENTIFICATION NUMBER (EIN)
----------------------	--------------------------------------

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date May 24, 2011

Signature /s/ Nicholas B. Johnson  
**Nicholas B. Johnson**  
**Managing Member**

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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

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

In re Nicholas Homes, LLC

Debtor(s)

Case No. \_\_\_\_\_

Chapter 11

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept .....	\$	<u>0.00</u>
Prior to the filing of this statement I have received .....	\$	<u>0.00</u>
Balance Due .....	\$	<u>0.00</u>

2. The source of the compensation paid to me was:

Debtor       Other (specify):

3. The source of compensation to be paid to me is:

Debtor       Other (specify):

4.  I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: May 24, 2011

/s/ Kevin D. Heard

**Kevin D. Heard**  
**Heard Ary, LLC**  
**307 Clinton Avenue West**  
**Civic Plaza Suite 310**  
**Huntsville, Alabama, 35801**  
**256-535-0817 Fax: 256-535-0818**  
**kheard@heardlaw.com; aary@heardlaw.com**

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

In re Nicholas Homes, LLC  
Debtor

Case No. \_\_\_\_\_

Chapter 11

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
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**None**

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

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

Date May 24, 2011

Signature /s/ Nicholas B. Johnson  
**Nicholas B. Johnson**  
**Managing Member**

*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.

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

In re **Nicholas Homes, LLC**

Debtor(s)

Case No.  
Chapter

**11**

**VERIFICATION OF CREDITOR MATRIX**

I, the Managing Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **May 24, 2011**

**/s/ Nicholas B. Johnson**

**Nicholas B. Johnson/Managing Member**  
Signer/Title

CB&S Bank  
4009 University Drive NW  
Huntsville, AL 35810

AT&T  
P.O. Box 105503  
Atlanta, GA 30348

Cumberland Materials, Inc.  
1710 61st Avenue North  
Nashville, TN 37209

Compass Bank  
114 Governors Drive Southeast  
Huntsville, AL 35801

AT&T Mobility  
P.O. Box 536216  
Atlanta, GA 30353-6216

Don Page Stairs  
P.O. Box 7008  
Huntsville, AL 35807

Ford Motor Credit  
PO box 467369  
Atlanta, GA 31146

Athens Utilities  
PO Box 1089  
Athens, AL 35612

Douglas and Lourdes Reeves  
c/o John Higgs  
405 Franklin Street  
Huntsville, AL 35801

Southeast Toyota Finance  
PO Box 96024  
Charlotte, NC 28296

Big Cove Heating and Air  
182 L & N Drive  
Owens Cross Roads, AL 35763

Ferguson  
A Wolseley Company  
1708 Elm Hill Pike  
Nashville, TN 37210

Worthington Federal Bank  
3301 Memorial Parkway Southwest  
Huntsville, AL 35801

Brooks Electrical  
109 Dominion Circle  
Huntsville, AL 35811

Frakes Foam Insulation  
P.O. Box 266  
Huntsville, AL 35804

84 Lumber Company  
29005 Old Hwy 20  
Madison, AL 35756

Cabinet Connection  
19544 Hwy 43  
Russellville, AL 35654

Gobble Fite Lumber Company  
PO Box 1808  
Decatur, AL 35602

A&L Building Material  
1100 George Wallace Highway  
Russellville, AL 35654

Concrete by Design  
6481 Hwy 431  
Owens Cross Roads, AL 35763

Hampton Ridge Homeowners Asso  
c/o Joshua White  
P.O. Box 307  
Huntsville, AL 35804

Alabama Concrete  
4200 Stringfield Road  
Huntsville, AL 35806

Consumers Insurance  
P.O. Box 12129  
Murfreesboro, TN 37129

Hawkins Grouns Works, Inc.  
P.O. Box 147  
Athens, AL 35612

AMP  
485 Allied Drive  
Nashville, TN 37211

Contractor's Choice  
P.O. Box 429  
Athens, AL 35612

Heibert Construction

Henley Millwork Supply  
Front & Broad Street  
P.O. Box 306  
Decherd, TN 37324

Lehigh Hanson  
15620 Collections Center Drive  
Chicago, IL 60693

Reed Contracting Services  
4704 Union Grove Road  
Union Grove, AL 35175

Hoffman Landscaping & Irrigation  
284 Brevard Boulevard  
Huntsville, AL 35811

Limestone County Water  
17218 US Highway 72  
Athens, AL 35611

Russ Crumbley  
1108 Andrew Jackson Way  
Huntsville, AL 35801

Integration, LLC  
7910 Memorial Parkway SW  
Ste F1  
Huntsville, AL 35802

Living Water Trim  
1810 Gary Mont St  
Decatur, AL 35603

Sexton Welding  
3815 Governors Drive West  
Huntsville, AL 35805

Iron Works  
7024 Green Brier Road  
Madison, AL 35757

Los Primos  
3005 Cotton Pl  
Decatur, AL 35603

Sprint  
P.O. Box 4181  
Carol Stream, IL 60197

Jeff Brown Plumbing  
20 Arnett St  
Madison, AL 35758

Maples and Ray, PC  
401 Holmes Ave NE Ste H  
Huntsville, AL 35801

Sun Valley Sod  
2031 Fisher Street  
Huntsville, AL 35803

Keith Couch  
c/o Tom McGrath  
P.O. Box 2469  
Huntsville, AL 35804

Marjam - Long Island  
885 Conkin St  
Farmingdale, NY 11735

Tennessee Valley Sign  
301 Thomas French Drive  
Scottsboro, AL 35769

Kirkland Pest Control  
P.O. Box 444  
Fayetteville, TN 37334

Mendoza Stone  
16527 Fort Hampton Road  
Elkmont, AL 35620

Tonya Dennis

Knology  
P.O. Box 756  
West Point, GA 31833

Precision Interiors  
172 Farmington Drive  
Harvest, AL 35749

Triton Stone  
108 Von Braun  
Huntsville, AL 35806

Lake Forest Home Owners Association  
c/o Harold Mooty  
P. O. Box 2087  
Huntsville, AL 35804

Real Sales Contract

Uriostequi Construction  
1827 5th Ave SW  
Decatur, AL 35602

Valley Overhead Door, Inc.  
PO Box 5858  
Decatur, AL 35601

Dag Rowe  
PO Box 2168  
Huntsville, AL 35804

Harold Mooty  
P. O. BOX 2087  
Huntsville, AL 35804

Joshua White  
P.O. Box 307  
Huntsville, AL 35804

Thomas McGrath  
P.O. Box 2469  
Huntsville, AL 35804

William Avant  
P. O. Box 165  
Huntsville, AL 35804

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

In re Nicholas Homes, LLC

Debtor(s)

Case No.

Chapter

11

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Nicholas Homes, LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s) equity interests, or states that there are no entities to report under FRBP 7007.1:

None [*Check if applicable*]

May 24, 2011

Date

/s/ Kevin D. Heard

Kevin D. Heard

Signature of Attorney or Litigant  
Counsel for Nicholas Homes, LLC

Heard Ary, LLC

307 Clinton Avenue West

Civic Plaza Suite 310

Huntsville, Alabama, 35801

256-535-0817 Fax:256-535-0818

kheard@heardlaw.com; aary@heardlaw.com

## STATEMENT OF INFORMATION REQUIRED BY 11 U.S.C. §341

### INTRODUCTION

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Trustee, United States Department of Justice, has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under chapter 7 of the Bankruptcy Code. This information is intended to make you aware of...

- (1) the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- (2) the effect of receiving a discharge of debts
- (3) the effect of reaffirming a debt; and
- (4) your ability to file a petition under a different chapter of the Bankruptcy Code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This information sheet contains only general principles of law and is not a substitute for legal advice. If you have questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

### WHAT IS A DISCHARGE?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed on your bankruptcy schedules. A discharge is a court order that says you do not have to repay your debts, but there are a number of exceptions. Debts which may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make a false oath. Creditors cannot ask you to pay any debts which have been discharged. You can only receive a chapter 7 discharge once every eight (8) years.

### WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE?

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying any debts that were not listed on your bankruptcy schedules or that you incurred after you filed for bankruptcy.

### WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?

After you file your petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming a debt means that you sign and file with the court a legally enforceable document, which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court within 60 days after the first meeting of the creditors.

Reaffirmation agreements are strictly voluntary — they are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at any time before the court issues your discharge order or within sixty (60) days after the reaffirmation agreement was filed with the court, whichever is later. If you reaffirm a debt and fail to make the payments required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any remaining debt.

### OTHER BANKRUPTCY OPTIONS

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtor's farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtor must pay the chapter 13 trustee the amounts set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,347,500 (\$336,900 in unsecured debts and \$1,010,650 in secured debts).

**AGAIN, PLEASE SPEAK TO YOUR LAWYER IF YOU NEED FURTHER INFORMATION OR EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.**

Date May 24, 2011

Signature /s/ Nicholas B. Johnson  
**Nicholas B. Johnson**  
**Managing Member**

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

In re Nicholas Homes, LLC

Debtor(s)

Case No. \_\_\_\_\_

Chapter 11

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
<b>84 Lumber Company 29005 Old Hwy 20 Madison, AL 35756</b>	<b>84 Lumber Company 29005 Old Hwy 20 Madison, AL 35756</b>			<b>120,000.00</b>
<b>A&amp;L Building Material 1100 George Wallace Highway Russellville, AL 35654</b>	<b>A&amp;L Building Material 1100 George Wallace Highway Russellville, AL 35654</b>	<b>Hardwood</b>		<b>6,974.16</b>
<b>AMP 485 Allied Drive Nashville, TN 37211</b>	<b>AMP 485 Allied Drive Nashville, TN 37211</b>	<b>Open Account</b>		<b>37,376.86</b>
<b>Big Cove Heating and Air 182 L &amp; N Drive Owens Cross Roads, AL 35763</b>	<b>Big Cove Heating and Air 182 L &amp; N Drive Owens Cross Roads, AL 35763</b>	<b>HVAC 2 Sotheby Place</b>		<b>9,480.00</b>
<b>Brooks Electrical 109 Dominion Circle Huntsville, AL 35811</b>	<b>Brooks Electrical 109 Dominion Circle Huntsville, AL 35811</b>	<b>Electrical Services</b>		<b>10,071.25</b>
<b>Contractor's Choice P.O. Box 429 Athens, AL 35612</b>	<b>Contractor's Choice P.O. Box 429 Athens, AL 35612</b>	<b>Dumpster</b>		<b>5,429.74</b>
<b>Douglas and Lourdes Reeves c/o John Higgs 405 Franklin Street Huntsville, AL 35801</b>	<b>Douglas and Lourdes Reeves c/o John Higgs 405 Franklin Street Huntsville, AL 35801</b>	<b>CV10-852</b>	<b>Contingent Unliquidated</b>	<b>11,000.00</b>
<b>Ferguson A Wolseley Company 1708 Elm Hill Pike Nashville, TN 37210</b>	<b>Ferguson A Wolseley Company 1708 Elm Hill Pike Nashville, TN 37210</b>	<b>Plumbing and Lighting Supply</b>		<b>20,541.85</b>
<b>Gobble Fite Lumber Company PO Box 1808 Decatur, AL 35602</b>	<b>Gobble Fite Lumber Company PO Box 1808 Decatur, AL 35602</b>	<b>Lumber</b>		<b>78,319.87</b>
<b>Hawkins Grouns Works, Inc. P.O. Box 147 Athens, AL 35612</b>	<b>Hawkins Grouns Works, Inc. P.O. Box 147 Athens, AL 35612</b>	<b>Sewer Work</b>		<b>8,400.00</b>
<b>Heibert Construction</b>	<b>Heibert Construction</b>	<b>Metal Roof Gutters</b>		<b>3,902.00</b>

Debtor(s)

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
 (Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
<b>Henley Millwork Supply Front &amp; Broad Street P.O. Box 306 Decherd, TN 37324</b>	<b>Henley Millwork Supply Front &amp; Broad Street P.O. Box 306 Decherd, TN 37324</b>	<b>Trim and Windows</b>		<b>43,658.53</b>
<b>Jeff Brown Plumbing 20 Arnett St Madison, AL 35758</b>	<b>Jeff Brown Plumbing 20 Arnett St Madison, AL 35758</b>	<b>Plumbing</b>		<b>6,683.13</b>
<b>Lehigh Hanson 15620 Collections Center Drive Chicago, IL 60693</b>	<b>Lehigh Hanson 15620 Collections Center Drive Chicago, IL 60693</b>	<b>Concrete</b>		<b>23,120.52</b>
<b>Los Primos 3005 Cotton Pl Decatur, AL 35603</b>	<b>Los Primos 3005 Cotton Pl Decatur, AL 35603</b>	<b>Paint Labor</b>		<b>4,830.00</b>
<b>Marjam - Long Island 885 Conkin St Farmingdale, NY 11735</b>	<b>Marjam - Long Island 885 Conkin St Farmingdale, NY 11735</b>	<b>Sheet Rock</b>		<b>7,389.17</b>
<b>Reed Contracting Services 4704 Union Grove Road Union Grove, AL 35175</b>	<b>Reed Contracting Services 4704 Union Grove Road Union Grove, AL 35175</b>	<b>Concrete</b>		<b>12,992.95</b>
<b>Triton Stone 108 Von Braun Huntsville, AL 35806</b>	<b>Triton Stone 108 Von Braun Huntsville, AL 35806</b>	<b>Tile</b>		<b>5,247.70</b>
<b>Uriostequi Construction 1827 5th Ave SW Decatur, AL 35602</b>	<b>Uriostequi Construction 1827 5th Ave SW Decatur, AL 35602</b>	<b>Brick Labor</b>		<b>10,018.00</b>
<b>Valley Overhead Door, Inc. PO Box 5858 Decatur, AL 35601</b>	<b>Valley Overhead Door, Inc. PO Box 5858 Decatur, AL 35601</b>	<b>Garage Doors</b>		<b>6,588.00</b>

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

I, the Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date May 24, 2011

Signature /s/ Nicholas B. Johnson  
**Nicholas B. Johnson**  
**Managing Member**

*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.*