4:09-bk-15667 Doc#: 1 Filed: 08/10/09 Entered: 08/10/09 09:39:46 Page 1 of 10 8/10/09 9:37AM B1 (Official Form 1)(1/08) **United States Bankruptcy Court** Voluntary Petition Eastern District of Arkansas Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Tiner, William Joe All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN xxx-xx-5612 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 992 Hwy 5 North Benton, AR ZIP Code ZIP Code 72019 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP Code ZIP Code Location of Principal Assets of Business Debtor (if different from street address above): Type of Debtor Nature of Business **Chapter of Bankruptcy Code Under Which** (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box) ☐ Health Care Business ☐ Chapter 7 ☐ Single Asset Real Estate as defined ☐ Chapter 15 Petition for Recognition ☐ Chapter 9 Individual (includes Joint Debtors) in 11 U.S.C. § 101 (51B) of a Foreign Main Proceeding Chapter 11 See Exhibit D on page 2 of this form. ■ Railroad ☐ Chapter 15 Petition for Recognition ☐ Chapter 12 □ Stockbroker ☐ Corporation (includes LLC and LLP) of a Foreign Nonmain Proceeding ☐ Chapter 13 Commodity Broker □ Partnership ☐ Clearing Bank ☐ Other (If debtor is not one of the above entities, ☐ Other Nature of Debts check this box and state type of entity below.) Tax-Exempt Entity Debts are primarily consumer debts, ☐ Debts are primarily (Check box, if applicable) defined in 11 U.S.C. § 101(8) as business debts. ☐ Debtor is a tax-exempt organization "incurred by an individual primarily for under Title 26 of the United States Code (the Internal Revenue Code). a personal, family, or household purpose." Filing Fee (Check one box) Chapter 11 Debtors Check one box: ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Full Filing Fee attached Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). ☐ Filing Fee to be paid in installments (applicable to individuals only). Must Check if: attach signed application for the court's consideration certifying that the debtor Debtor's aggregate noncontingent liquidated debts (excluding debts owed is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. to insiders or affiliates) are less than \$2,190,000. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes: attach signed application for the court's consideration. See Official Form 3B. A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information \square Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 50-99 200-999 1,000-5,000 5,001-10,000 100-10,001-25,001-50,001-OVER 1-49 199 100.000 Estimated Assets \$50,001 to \$100,000 \$100,001 to \$500,000 \$10,000,001 to \$50 \$50,000,001 to \$100 \$500,000,001 to \$1 billion \$0 to \$50,000 \$500,001 \$1,000,001 \$100,000,001 million Estimated Liabilities

\$100,001 to \$500,000

\$500,001

\$50,001 to

\$100,000

\$1,000,001 to \$10 million

\$10,000,001 to \$50

million

\$50,000,001

million

\$100,000,001 \$500,000,001 More than to \$500 to \$1 billion \$1 billion

4:09-bk-15667 Doc#: 1 Filed: 08/10/09 Entered: 08/10/09 09:39:46 Page 2 of 10 8/10/09 9:37AM B1 (Official Form 1)(1/08) Name of Debtor(s): Voluntary Petition Tiner, William Joe (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission 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 pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. X /s/ Scott T. Vaughn August 7, 2009 Signature of Attorney for Debtor(s) (Date) Scott T. Vaughn 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)
П	Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to

- 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(1)).

B1 (Official Form 1)(1/08) Page 3

Voluntary Petition

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

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 /s/ William Joe Tiner

Signature of Debtor William Joe Tiner

 \mathbf{X}

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

August 7, 2009

Date

Signature of Attorney*

X /s/ Scott T. Vaughn

Signature of Attorney for Debtor(s)

Scott T. Vaughn 76131

Printed Name of Attorney for Debtor(s)

Hilburn, Calhoon, Harper, Pruniski & Calhoun, Ltd.

Firm Name

P.O. Box 5551 North Little Rock, AR 72119

Address

(501) 372-0110

Telephone Number

August 7, 2009

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 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

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

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.)

Name of Debtor(s):

Tiner, William Joe

- ☐ 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 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 bankrutpcy 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.)

X

Date

Address

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.

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B 1D(Official Form 1, Exhibit D) (12/08)

United States Bankruptcy Court Eastern District of Arkansas

In re	William Joe Tiner	Case I	No.	
		Debtor(s) Chapt	oter 11	
		Debtor(s) Chapt	oter 11	_

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] ____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applied	cable
statement.] [Must be accompanied by a motion for determination by the court.]	
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B4 (Official Form 4) (12/07)

United States Bankruptcy Court Eastern District of Arkansas

In re	William Joe Tiner			
		Debtor(s)	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)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Auto Zone 1200 Military Road Benton, AR 72019	Auto Zone 1200 Military Road Benton, AR 72019			7,500.00
Bank of America P.O. Box 15184 Wilmington, DE 19850	Bank of America P.O. Box 15184 Wilmington, DE 19850			10,715.84
Bank of America P.O. Box 15184 Wilmington, DE 19850	Bank of America P.O. Box 15184 Wilmington, DE 19850			6,761.11
Bank of America P.O. Box 15184 Wilmington, DE 19850	Bank of America P.O. Box 15184 Wilmington, DE 19850			1,389.58
Betty Tiner 2212 E. Meadowbrook Bryant, AR 72022	Betty Tiner 2212 E. Meadowbrook Bryant, AR 72022			400,000.00
Capitol One P.O. Box 6492 Carol Stream, IL 60197	Capitol One P.O. Box 6492 Carol Stream, IL 60197			6,120.67
Capitol One P.O. Box 6492 Carol Stream, IL 60197	Capitol One P.O. Box 6492 Carol Stream, IL 60197			6,078.79
Capitol One P.O. Box 6492 Carol Stream, IL 60197	Capitol One P.O. Box 6492 Carol Stream, IL 60197			4,932.41
Capitol One P.O. Box 6492 Carol Stream, IL 60197	Capitol One P.O. Box 6492 Carol Stream, IL 60197			4,418.76
Card Member Services P. O. Box 94014 Palatine, IL 60094	Card Member Services P. O. Box 94014 Palatine, IL 60094			3,901.86
Discover Card P.O. Box 30943 Salt Lake City, UT 84130	Discover Card P.O. Box 30943 Salt Lake City, UT 84130			10,963.72
Discover Card P.O. Box 3023 New Albany, OH 43054	Discover Card P.O. Box 3023 New Albany, OH 43054			6,907.20

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B4 (Offic	B4 (Official Form 4) (12/07) - Cont.				
In re	William Joe Tiner	Case No.			
	Debtor(s)				

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Hope Consulting, Inc. P. O. Box 42 Benton, AR 72018	Hope Consulting, Inc. P. O. Box 42 Benton, AR 72018			2,657.50
Ralph Cloar, Jr. 1501 N. University Ave. Suite 640 Little Rock, AR 72207	Ralph Cloar, Jr. 1501 N. University Ave. Suite 640 Little Rock, AR 72207			2,522.78
Target National Bank P. O. Box 59317 Minneapolis, MN 55459	Target National Bank P. O. Box 59317 Minneapolis, MN 55459			680.32
U. S. Bank P. O. Box 6353 Fargo, ND 58125	U. S. Bank P. O. Box 6353 Fargo, ND 58125			2,783.00
U. S. Bank P. O. Box 790408 Saint Louis, MO 63179	U. S. Bank P. O. Box 790408 Saint Louis, MO 63179			577.83
Wells Fargo Mortgage P. O. Box 10335 Des Moines, IA 50306	Wells Fargo Mortgage P. O. Box 10335 Des Moines, IA 50306			234,140.67 (0.00 secured)

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

I, William Joe Tiner, 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	August 7, 2009	Signature	/s/ William Joe Tiner
			William Joe Tiner
			Debtor

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.

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United States Bankruptcy Court Eastern District of Arkansas

		Eastern District of Arkansas		
In re	William Joe Tiner		Case No.	
		Debtor(s)	Chapter	11
	VER	CIFICATION OF CREDITOR M	IATRIX	
The ab	ove-named Debtor hereby verifies	that the attached list of creditors is true and corr	rect to the best	of his/her knowledge.
Date:	August 7, 2009	/s/ William Joe Tiner		
		William Joe Tiner		

Signature of Debtor

Auto Zone 1200 Military Road Benton, AR 72019

Bank of America P.O. Box 15184 Wilmington, DE 19850

Bank of America P.O. Box 15184 Wilmington, DE 19850

Bank of America P.O. Box 15184 Wilmington, DE 19850

Betty Tiner 2212 E. Meadowbrook Bryant, AR 72022

Capitol One P.O. Box 6492 Carol Stream, IL 60197

Capitol One P.O. Box 6492 Carol Stream, IL 60197

Capitol One P.O. Box 6492 Carol Stream, IL 60197

Capitol One P.O. Box 6492 Carol Stream, IL 60197

Card Member Services P. O. Box 94014 Palatine, IL 60094

Discover Card P.O. Box 3023 New Albany, OH 43054 Discover Card P.O. Box 30943 Salt Lake City, UT 84130

Hope Consulting, Inc. P. O. Box 42 Benton, AR 72018

Ralph Cloar, Jr. 1501 N. University Ave. Suite 640 Little Rock, AR 72207

Target National Bank P. O. Box 59317 Minneapolis, MN 55459

U. S. Bank
P. O. Box 790408
Saint Louis, MO 63179

U. S. Bank P. O. Box 6353 Fargo, ND 58125

Wells Fargo Mortgage P. O. Box 10335 Des Moines, IA 50306

G. Randolph Satterfield Satterfield Law Firm, PLC P. O. Box 1010 Little Rock, AR 72203-1010