

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:  
 SOUTHERN DISTRICT OF CALIFORNIA, SAN DIEGO DIVISION

Case number (if known) \_\_\_\_\_ Chapter 11

Check if this an amended filing

Official Form 201  
**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Mushroom Express, Inc.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 95-4359422

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>33777 Valley Center Rd</u> <u>Valley Center, CA 92082-6014</u> Number, Street, City, State & ZIP Code	<u>PO Box 900</u> <u>Watsonville, CA 95077-0900</u> P.O. Box, Number, Street, City, State & ZIP Code
	<u>San Diego</u> County	Location of principal assets, if different from principal place of business
		<u>33777 Valley Center Rd Valley Center, CA</u> <u>92082-6014</u> Number, Street, City, State & ZIP Code

5. Debtor's website (URL) \_\_\_\_\_

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: \_\_\_\_\_

Debtor Mushroom Express, Inc.  
Name

Case number (if known) \_\_\_\_\_

**7. Describe debtor's business**

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- 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).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- No.
- Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_

Debtor **Mushroom Express, Inc.**  
Name

Case number (if known)

11. Why is the case filed in this district? *Check all that apply:*
- Debtor has had its domicile, 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.
  - A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?
- No
  - Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention?** *(Check all that apply.)*
- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_
  - It needs to be physically secured or protected from the weather.
  - It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
  - Other \_\_\_\_\_
- Where is the property?** \_\_\_\_\_  
Number, Street, City, State & ZIP Code
- Is the property insured?**
- No
  - Yes. Insurance agency \_\_\_\_\_  
Contact name \_\_\_\_\_  
Phone \_\_\_\_\_

**Statistical and administrative information**

13. Debtor's estimation of available funds *Check one:*
- Funds will be available for distribution to unsecured creditors.
  - After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1-49             | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input checked="" type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000   | <input type="checkbox"/> 50,001-100,000    |
| <input type="checkbox"/> 100-199          | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999          |  |  |

15. Estimated Assets
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000                   | <input type="checkbox"/> \$1,000,001 - \$10 million    | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000             | <input type="checkbox"/> \$10,000,001 - \$50 million   | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input checked="" type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million  | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million          | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion          |

16. Estimated liabilities
- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000          | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000    | <input type="checkbox"/> \$10,000,001 - \$50 million           | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000   | <input type="checkbox"/> \$50,000,001 - \$100 million          | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million         | <input type="checkbox"/> More than \$50 billion          |

Debtor **Mushroom Express, Inc.**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **October 21, 2016**  
MM / DD / YYYY

**X /s/ Marvin Donius**

Signature of authorized representative of debtor

**Marvin Donius**

Printed name

Title **President**

**18. Signature of attorney** **X /s/ Judith A. Descalso**

Signature of attorney for debtor

Date **October 21, 2016**  
MM / DD / YYYY

**Judith A. Descalso**

Printed name

**Law Office of Judith A. Descalso**

Firm name

**960 Canterbury Pl Ste 340  
Escondido, CA 92025-3870**

Number, Street, City, State & ZIP Code

Contact phone **(760) 745-8380**

Email address **jad@jdescalso.com**

**CBN 103211**

Bar number and State

**Fill in this information to identify the case:**

Debtor name Mushroom Express, Inc.

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF CALIFORNIA, SAN DIEGO DIVISION

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets—Real and Personal Property*(Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property*(Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases*(Official Form 206G)
- Schedule H: Codebtors* (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- Amended Schedule*
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 21, 2016

X /s/ Marvin Donius

Signature of individual signing on behalf of debtor

Marvin Donius

Printed name

President

Position or relationship to debtor

**Fill in this information to identify the case:**

Debtor name **Mushroom Express, Inc.**  
 United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF CALIFORNIA, SAN DIEGO DIVISION**  
 Case number (if known): \_\_\_\_\_

 Check if this is an

amended filing

**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
BMO Harris Bank NA PO Box 71951 Chicago, IL 60694-1951	(800) 535-4945	Bank loan		\$600,000.00	\$0.00	\$600,000.00
Ryder Truck Rental, Inc. Ryder Transportation Services 6000 Windward Pkwy Alpharetta, GA 30005-4181	Jeffrey S. Fisher  Jeffrey_S_Fisher@ Ryder.com (770) 569-6941	Trade debt	Unliquidated Disputed	\$307,280.21	\$0.00	\$307,280.21
CAN Capital Asset Servicing, Inc. 414 W 14th St Fl 3 New York, NY 10014-1013	(877) 500-8282	Trade debt		\$150,000.00	\$0.00	\$150,000.00
TVT Capital, LLC 122 E 42nd St Rm 2112 New York, NY 10168-2100	Tara N. Pomparelli  (516) 545-0133	Trade debt	Disputed	\$149,000.00	\$0.00	\$149,000.00
Forward Financing, LLC 36 Bromfield St Fl 2 Boston, MA 02108-5221	(888) 244-9099	Trade debt				\$147,000.00
Praetorian Insurance Company 10100 Santa Monica Blvd Ste 300 Los Angeles, CA 90067-4107	(310) 997-2560	Trade debt	Disputed			\$126,294.00

Debtor **Mushroom Express, Inc.**

Case number (if known)

Name

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Yellowstone Capital 160 Pearl St New York, NY 10005-1617	(800) 955-2411	Trade debt	Disputed	\$119,600.00	\$0.00	\$119,600.00
ACE Funding Source 155 S Jefferson St Lancaster, WI 53813-1635	Henny Guttman HG@acefundingllc.com (608) 723-4350	Trade debt	Disputed	\$92,559.00	\$0.00	\$92,559.00
Mac Trailer Leasing dba PLM Trailer Leasing 100 Paragon Dr Montvale, NJ 07645-1779	(201) 050-5000x11	Trade debt		\$88,489.00	\$0.00	\$88,489.00
PIRS Capital, LLC 40 Exchange Pl New York, NY 10005-2701	Zorik Ledven (888) 494-4881	Trade debt	Disputed	\$79,069.00	\$0.00	\$79,069.00
Uninsured Employers Benefits Trust Fund 320 W 4th St Ste 600 Los Angeles, CA 90013-2350		Trade debt				\$45,829.00
Kabbage, Inc 730 Peachtree St NE Ste 350 Atlanta, GA 30308-1226	(404) 410-7836	Trade debt	Disputed			\$44,963.00
State Compensation Insurance Fund PO Box 7441 San Francisco, CA 94120-7441		Trade debt				\$38,209.00
Prime Time Transport Inc. 6315 Winter Crest Dr Bakersfield, CA 93313-5206	(661) 834-6004	Trade debt				\$31,600.00
Phillips Mushroom Farm 1011 Kaolin Rd Kennett Square, PA 19348-2605	(610) 444-5987	Trade debt				\$23,780.00

Debtor **Mushroom Express, Inc.**

Case number (if known)

Name

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Internal Revenue Service Insolvency Division PO Box 7346 Philadelphia, PA 19101-7346		Trade debt				\$20,000.00
Employment Development Depart. PO Box 826880 Sacramento, CA 94280-0001	(858) 880-2446	Trade debt				\$20,000.00
Ramin Peyman, Esq. Law Offices of Peyman & Rahnama 11801 W Washington Blvd Los Angeles, CA 90066-5920	(310) 313-3250	Trade debt				\$20,000.00
IPFS Corporation 3000 RDU Center Dr Ste 100 Morrisville, NC 27560-7643	(866) 412-8705	Trade debt				\$8,454.00
Marvin C Donius PO Box 900 Watsonville, CA 95077-0900	marvindonius@aol.com (831) 254-0410					\$5,615.77



**United States Bankruptcy Court  
Southern District of California, San Diego Division**

**IN RE:**

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

**Mushroom Express, Inc.** \_\_\_\_\_

Chapter **11** \_\_\_\_\_

Debtor(s)

**LIST OF EQUITY SECURITY HOLDERS**

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Registered name and last known address of security holder	Shares (or Percentage)	Security Class (or kind of interest)
<b>Marvin Donius PO Box 900 Watsonville, CA 95077-0900</b>	<b>100</b>	<b>Common Stockholder</b>

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