Case:09-31295-HRT Doc#:1 Filed:10/08/09 Entered:10/08/09 18:35:26 Page1 of 10 B1 (Official Form 1) (1/08)

United States Bankruptcy Court District of Colorado					Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Midd Ward, Brian McNeil	dle):	Name of Joint Debtor (Spouse) (Last, First, Middle):				
All Other Names used by the Debtor in the last 8 year (include married, maiden, and trade names):	rs		used by the Joint Debtor i maiden, and trade names)		years	
Last four digits of Soc. Sec. or Individual-Taxpayer I. EIN (if more than one, state all): 5721		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. & Street, City, State & 10900 Vermillion Road	Street Address of 3	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):				
Longmont, CO	ZIPCODE 80504			Z	IPCODE	
County of Residence or of the Principal Place of Business: <b>Boulder</b>		County of Residen	County of Residence or of the Principal Place of Business:			
Mailing Address of Debtor (if different from street ad	ddress)	Mailing Address of Joint Debtor (if different from street address):			t address):	
Γ	ZIPCODE		ZIPCODE			
Location of Principal Assets of Business Debtor (if d		above):		ļ		
4002 North Valley Dr., Longmont, CO				Z	IPCODE <b>80504</b>	
Type of Debtor (Form of Organization) (Check one box.)  ✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)  ✓ Full Filing Fee attached ☐ Filing Fee to be paid in installments (Applicable to attach signed application for the court's considerat is unable to pay fee except in installments. Rule 10 3A.	o individuals only). Must ion certifying that the debto 106(b). See Official Form	ne box.)  is tate as defined in 11  opt Entity f applicable.) pt organization under l States Code (the de).  Check one box: Debtor is a sma Debtor is not a strict of the destrict of the dest	the Petitio  Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13  Debts are primaril debts, defined in 1 § 101(8) as "incurrindividual primaril personal, family, o hold purpose."  Chapter 11 I	n is Filed (C  Chapt Recog Main Chapt Recog Nonn Nature of D (Check one by consumer 1 U.S.C. red by an y for a r house-  Debtors  med in 11 U. defined in 11	box.) Debts are primarily business debts.  S.C. § 101(51D). U.S.C. § 101(51D).  ved to non-insiders or	
Filing Fee waiver requested (Applicable to chapter attach signed application for the court's considerat	Acceptances of	filed with this petition		om one or more classes of		
Statistical/Administrative Information  ✓ 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 w distribution to unsecured creditors.			will be no funds availab	le for	THIS SPACE IS FOR COURT USE ONLY	
Estimated Number of Creditors	,	10,001- 25,001 25,000 50,000		Over 100,000		
			000,001 \$500,000,001 0 million to \$1 billion	More than \$1 billion		
Estimated Liabilities	000,001 to \$10,000,001 smillion to \$50 million		000,001 \$500,000,001 0 million to \$1 billion	More than \$1 billion		

B1 (Official Form 1) (1/08)		Page 2
Voluntary Petition	Name of Debtor(s): Ward, Brian McNeil	-
(This page must be completed and filed in every case)  Prior Bankruptcy Case Filed Within Last 8		additional sheet)
Location	Case Number:	Date Filed:
Where Filed: <b>None</b>	Case (valide).	Bate Fried.
Location Where Filed:	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If mo	re than one, attach additional sheet)
Name of Debtor: See Schedule Attached	Case Number:	Date Filed:
District:	Relationship:	Judge:
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.	(To be completed whose debts are properties of the attorney for the petitioner of that I have informed the petition chapter 7, 11, 12, or 13 of the explained the relief available unthat I delivered to the debtor to Bankruptcy Code.	if debtor is an individual imarily consumer debts.)  named in the foregoing petition, declare that [he or she] may proceed under le 11, United States Code, and have der each such chapter. I further certify the notice required by § 342(b) of the
	Signature of Attorney for Debtor(s)	Date
or safety?  ☐ Yes, and Exhibit C is attached and made a part of this petition.  ▼ No  Exhi  (To be completed by every individual debtor. If a joint petition is filed, eximple Exhibit D completed and signed by the debtor is attached and mathematically in the petition:  ☐ Exhibit D also completed and signed by the joint debtor is attached.	ach spouse must complete and atta de a part of this petition.	ch a separate Exhibit D.)
Information Regardio	ng the Debtor - Venue	
(Check any approach of this petition or for a longer part of such 180 ☐ There is a bankruptcy case concerning debtor's affiliate, general place of this petition or for a longer part of such 180 ☐ There is a bankruptcy case concerning debtor's affiliate, general place of business or assets in the United States I in this District, or the interests of the parties will be served in reg	days than in any other District. partner, or partnership pending in ace of business or principal assets but is a defendant in an action or pr	this District. in the United States in this District, oceeding [in a federal or state court]
Certification by a Debtor Who Reside	es as a Tenant of Residential l	Property
(Check all app  Landlord has a judgment against the debtor for possession of deb	licable boxes.) tor's residence. (If box checked, c	omplete the following.)
(Name of landlord or lesso	or that obtained judgment)	
(Address of lan	dlord or lessor)	
Debtor claims that under applicable nonbankruptcy law, there are the entire monetary default that gave rise to the judgment for positive content.		
Debtor has included in this petition the deposit with the court of filing of the petition.	•	aring the 30-day period after the
☐ Debtor certifies that he/she has served the Landlord with this cert	ification. (11 U.S.C. § 362(1)).	

# **Voluntary Petition**

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

Name of Debtor(s):

Ward, Brian McNeil

### **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 State 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.

Signature of Debtor	Brian Ward
Signature of Joint Debtor	
Telephone Number (If not represented by attorney)	

### 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.

Signature of	Foreign Repre	sentative	
Printed Nar	ne of Foreign R	epresentative	

#### Signature of Attorney\*

# X /s/ Cynthia T. Kennedy

Signature of Attorney for Debtor(s)

Cynthia T. Kennedy 11668 Kennedy & Kennedy, P.C. Attn: Cynthia T. Kennedy 308 1/2 E. Simpson Street Lafayette, CO 80026-2326 (303) 604-1600 Fax: (303) 604-1601 ctk@kandkatlaw.com

### October 8, 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.

Signature of	Authorized Individual		
Printed Name	of Authorized Individual		
Title of Auth	orized Individual		

### **Signature of Non-Attorney 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); 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			

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.

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

IN	$\mathbf{p}\mathbf{F}$	Ward	Brian	McNei
	N D	vvaru	. Dilali	MCME

# **VOLUNTARY PETITION Continuation Sheet - Page 1 of 1**

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor:

Name of Debtor: Robert L. Ward And Sara Lee Ward

Case Number: 09-25815 Date Filed: 08/03/09 District: Colorado

Relationship: Parents/Guarantors/Owners

Judge: Tallman

Name of Debtor: Outfitter Manufacturing, Inc.

Case Number: To Be Filed Date Filed: 10/08/09 District: Colorado

Relationship: Debtor Is Controlling S/H

Judge:

Case:09-31295-HRT Doc#:1 Filed:10/08/09 Entered:10/08/09 18:35:26 Page5 of 10

B1D (Official Form 1, Exhibit D) (12/08)

## United States Bankruptcy Court District of Colorado

IN RE:		Case No.
Ward, Brian McNeil		Chapter 11
•	Debtor(s)	· •

# 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 <b>before the filing of my bankruptcy case</b> , 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 applicable statement.] [Must be accompanied by a
motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor:	/s/ Brian Ward
-	

Date: **October 8, 2009** 

Certificate Number: 00134-CO-CC-008234432

# **CERTIFICATE OF COUNSELING**

I CERTIFY that on September 3, 2009	, a	10:56	o'clock <u>AM PDT</u> ,
Brian Ward		receive	d from
Cricket Debt Counseling			
an agency approved pursuant to 11 U.S.C.	§ 111 to	provide credi	t counseling in the
District of Colorado	, a	n individual (	or group] briefing that complied
with the provisions of 11 U.S.C. §§ 109(h)	and 111		
A debt repayment plan was not prepared	If a d	lebt repaymen	t plan was prepared, a copy of
the debt repayment plan is attached to this	certificat	e.	
This counseling session was conducted by	internet a	nd telephone	·
Date: September 3, 2009	Ву	/s/Cindy Bink	ley
	Name	Cindy Binkle	y
	Title	Counselor	••••

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

## United States Bankruptcy Court District of Colorado

IN RE:		Case No.
Ward, Brian McNeil		Chapter 11
	Debtor(s)	•

### 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 and Fed. R. Bankr. P. 1007(m).

(1) 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	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Colorado Community Bank 6222 W. 9th Street Greeley, CO 80634	(970) 330-6090			550,000.00
Guaranty Centennial Bank 4650 Royal Vista Circle Ft. Collins, CO 80528				245,000.00
Wells Fargo 1740 Broadway Denver, CO 80274	(303) 863-4631			100,000.00
Internal Revenue Service Centralized Insolvency Operations P.O. Box 21126 Philadelphia, PA 19114-0326			Contingent Disputed	80,000.00
Wells Fargo 1740 Broadsay Denver, CO 80274	(303) 863-4631			80,000.00
CitiBusiness Card PO Box 6401 The Lakes, NV 88901-6417	1(800) 750-7453			45,982.84
Citi Mortgage Inc. PO Box 689196 Des Moines, IA 50368-9196	(800) 283-7918			80,203.74 Collateral: 440,000.00 Unsecured: 41,521.87
US Bank/Na Nd 4325 17th Ave S Fargo, ND 58125				19,224.00
Sears/Cbsd PO Box 6189 Sioux Falls, SD 57117				8,000.00
Chase PO Box 15298 Wilmington, DE 19850-5298	(800) 945-2000			500.00

I 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: October 8, 2009	Signature /s/ Brian Ward of Debtor	Brian Ward
Date:	Signature of Joint Debtor (if any)	

# Case:09-31295-HRT Doc#:1 Filed:10/08/09 Entered:10/08/09 18:35:26 Page8 of 10

# United States Bankruptcy Court District of Colorado

IN RE:		Case No.
Ward, Brian McNeil		Chapter 11
	Debtor(s)	
	VERIFICATION OF CREDITOR MATRI	$\mathbf{X}$
The above named debtor(s) hereby ve	erify(ies) that the attached matrix listing creditors	is true to the best of my(our) knowledge.
Date: October 8, 2009	Signature: /s/ Brian Ward	
	Brian Ward	Debtor
Date:	Signature:	
		Joint Debtor, if any

Bank Of America PO Box 5170 Simi Valley, CA 93062-5170

Chase PO Box 15298 Wilmington, DE 19850-5298

Citi Mortgage Inc. PO Box 689196 Des Moines, IA 50368-9196

CitiBusiness Card PO Box 6401 The Lakes, NV 88901-6417

Colorado Community Bank 6222 W. 9th Street Greeley, CO 80634

First National Bank Of Fort Collins PO Box 273450 Ft. Collins, CO 80522

Guaranty Centennial Bank 4650 Royal Vista Circle Ft. Collins, CO 80528

Internal Revenue Service Centralized Insolvency Operations P.O. Box 21126 Philadelphia, PA 19114-0326 Sears/Cbsd PO Box 6189 Sioux Falls, SD 57117

US Bank/Na Nd 4325 17th Ave S Fargo, ND 58125

Wells Fargo 1740 Broadway Denver, CO 80274

Wells Fargo 1740 Broadsay Denver, CO 80274