

B1 (Official Form 1)(12/11)

**United States Bankruptcy Court  
District of Connecticut**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>DBN, LLC dba Daybreak Nurseries</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>06-1524347</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>500 Main Street Westport, CT</b>	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code <b>06880</b>	ZIP Code
County of Residence or of the Principal Place of Business: <b>Fairfield</b>	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):

<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>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>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<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>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.

<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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**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 will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	OVER 100,000

Estimated Assets

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

Estimated Liabilities

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

THIS SPACE IS FOR COURT USE ONLY

<p><b>Voluntary Petition</b></p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): <b>DBN, LLC dba Daybreak Nurseries</b></p>
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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):  
**DBN, LLC dba Daybreak Nurseries**

**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/ Stephen P. Wright  
Signature of Attorney for Debtor(s)

Stephen P. Wright ct02255  
Printed Name of Attorney for Debtor(s)

Harlow, Adams & Friedman, P.C.  
Firm Name

300 Bic Drive  
Milford, CT 06461

\_\_\_\_\_  
Address

203-878-0661 Fax: 203-878-9568  
Telephone Number

December 6, 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/ David Harding  
Signature of Authorized Individual

David Harding  
Printed Name of Authorized Individual

Managing Member  
Title of Authorized Individual

December 6, 2011  
Date

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court  
District of Connecticut**

In re DBN, LLC dba Daybreak Nurseries

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>The Hartford Ins. Co 3600 Wiseman Blvd Attn: Pres, Mng Mmbr or Agent San Antonio, TX 78251</b>	<b>The Hartford Ins. Co 3600 Wiseman Blvd Attn: Pres, Mng Mmbr or Agent San Antonio, TX 78251</b>			<b>10,232.44</b>
<b>Kent Farms, Inc Attn: President 1764 Jones Road Andover, MA 14806-9741</b>	<b>Kent Farms, Inc Attn: President 1764 Jones Road Andover, MA 14806-9741</b>			<b>5,775.00</b>
<b>Chase P.O. Box 15153 Attn: Pres, Mng Mmbr or Agent Wilmington, DE 19886-5153</b>	<b>Chase P.O. Box 15153 Attn: Pres, Mng Mmbr or Agent Wilmington, DE 19886-5153</b>			<b>5,614.18</b>
<b>East Coast Nurseries 301 Reeves Avenue Attn: Pres, Mng Mmbr or Agent Riverhead, NY 11901</b>	<b>East Coast Nurseries 301 Reeves Avenue Attn: Pres, Mng Mmbr or Agent Riverhead, NY 11901</b>			<b>3,532.00</b>
<b>Aquarian Water Co (BHC) Attn: Pres, Mng Mmbr or Agent PO Box 10010 Lewiston, ME 04243-9427</b>	<b>Aquarian Water Co (BHC) Attn: Pres, Mng Mmbr or Agent PO Box 10010 Lewiston, ME 04243-9427</b>			<b>3,396.56</b>
<b>Ford Credit (F550 2008 ) P.O. Box 220546 Attn: Pres, Mng Mmbr or Agent Pittsburgh, PA 15257-2654</b>	<b>Ford Credit (F550 2008 ) P.O. Box 220546 Attn: Pres, Mng Mmbr or Agent Pittsburgh, PA 15257-2654</b>			<b>2,825.88</b>
<b>CAN Insurance PO Box 382033 Attn: Pres, Mng Mmbr or Agent Pittsburgh, PA 15250-8033</b>	<b>CAN Insurance PO Box 382033 Attn: Pres, Mng Mmbr or Agent Pittsburgh, PA 15250-8033</b>			<b>2,590.54</b>

B4 (Official Form 4) (12/07) - Cont.

In re DBN, LLC dba Daybreak Nurseries

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

Debtor(s)

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

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <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>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>Prides Corner Farms Inc. 122 Waterman Road Attn: President Lebanon, CT 06249</b>	<b>Prides Corner Farms Inc. 122 Waterman Road Attn: President Lebanon, CT 06249</b>			<b>2,380.65</b>
<b>Chase PO Box 901076 Attn: Pres, Mng Mmbr or Agent Fort Worth, TX 76101-2076</b>	<b>Chase PO Box 901076 Attn: Pres, Mng Mmbr or Agent Fort Worth, TX 76101-2076</b>			<b>1,701.50</b>
<b>Ceramo Company, Inc PO Box 485 Attn: Pres, Mng Mmbr or Agent Jackson, MS 63755</b>	<b>Ceramo Company, Inc PO Box 485 Attn: Pres, Mng Mmbr or Agent Jackson, MS 63755</b>			<b>1,684.15</b>
<b>IPFS Corporation P.O. Box 905849 Attn: Pres, Mng Mmbr or Agent Charlotte, NC 28290-5849</b>	<b>IPFS Corporation P.O. Box 905849 Attn: Pres, Mng Mmbr or Agent Charlotte, NC 28290-5849</b>			<b>1,121.84</b>
<b>Ferry-Morse Seed Company P.O. Box 1620 Attn: Pres, Mng Mmbr or Agent Fulton, OH 42041</b>	<b>Ferry-Morse Seed Company P.O. Box 1620 Attn: Pres, Mng Mmbr or Agent Fulton, OH 42041</b>			<b>939.73</b>
<b>US Bank PO Box 790408 Attn: Pres, Mng Mmbr or Agent St. Louis, MO 63179-0408</b>	<b>US Bank PO Box 790408 Attn: Pres, Mng Mmbr or Agent St. Louis, MO 63179-0408</b>			<b>272.00</b>

B4 (Official Form 4) (12/07) - Cont.

In re DBN, LLC dba Daybreak Nurseries  
Debtor(s)

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

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

**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 December 6, 2011

Signature /s/ David Harding  
**David Harding**  
**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.

500 Main Street Properties LLC  
500 Main Street  
Westport, CT 06880

Aquarian Water Co (BHC)  
Attn: Pres, Mng Mmbr or Agent  
PO Box 10010  
Lewiston, ME 04243-9427

Benanti & Associates  
350 Bedford St.  
Stamford, CT 06901

CAN Insurance  
PO Box 382033  
Attn: Pres, Mng Mmbr or Agent  
Pittsburgh, PA 15250-8033

Ceramo Company, Inc  
PO Box 485  
Attn: Pres, Mng Mmbr or Agent  
Jackson, MS 63755

Chase  
P.O. Box 15153  
Attn: Pres, Mng Mmbr or Agent  
Wilmington, DE 19886-5153

Chase  
PO Box 901076  
Attn: Pres, Mng Mmbr or Agent  
Fort Worth, TX 76101-2076

Connecticut Community Bank NA  
Attn: President  
1495 Post Road E  
Westport, CT 06880

CT Dept. of Revenue Serv  
Todd Tweeddale  
25 Sigourney Street  
Hartford, CT 06104-2933

East Coast Nurseries  
301 Reeves Avenue  
Attn: Pres, Mng Mmbr or Agent  
Riverhead, NY 11901

Ferry-Morse Seed Company  
P.O. Box 1620  
Attn: Pres, Mng Mmbr or Agent  
Fulton, OH 42041

Ford Credit (F550 2008 )  
P.O. Box 220546  
Attn: Pres, Mng Mmbr or Agent  
Pittsburgh, PA 15257-2654

Frank N. Peluso, PC  
1799 Summer St.  
Stamford, CT 06905

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Internal Revenue Service  
Attn: Aldo Albini, Rev Officer  
915 Lafayette Blvd Rm 120  
Bridgeport, CT 06604

IPFS Corporation  
P.O. Box 905849  
Attn: Pres, Mng Mmbr or Agent  
Charlotte, NC 28290-5849

Kent Farms, Inc  
Attn: President  
1764 Jones Road  
Andover, MA 14806-9741

Prides Corner Farms Inc.  
122 Waterman Road  
Attn: President  
Lebanon, CT 06249



State of Connecticut  
Department of Labor  
200 Folly Brook Blvd  
Wethersfield, CT 06109

The Hartford Ins. Co  
3600 Wiseman Blvd  
Attn: Pres, Mng Mmbr or Agent  
San Antonio, TX 78251

Town of Westport Tax Collector  
PO Box 350  
Westport, CT 06880

US Bank  
PO Box 790408  
Attn: Pres, Mng Mmbr or Agent  
St. Louis, MO 63179-0408

Wells Fargo Bank fka  
Wachovia SBA Lending, Inc.  
1620 East Roseville Parkway  
Attn: Pres, Mng Mmbr or Agent  
Roseville, CA 95661