

UNITED STATES BANKRUPTCY COURT District of Delaware		VOLUNTARY PETITION
Name of Debtor (if individual, enter Last, First, Middle): Nichols Nursery Inc.		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)/Complete EIN (if more than one, state all): 51-0300588		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):
Street Address of Debtor (No. and Street, City, and State): 2742 Pulaski Hwy Newark, DE <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE 19702</div>		Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>
County of Residence or of the Principal Place of Business: New Castle		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>		Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>
Location of Principal Assets of Business Debtor (if different from street address above): See above.		<div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>
Type of Debtor (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.)	Nature of Business (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	Chapter of Bankruptcy Code Under Which the Petition is Filed (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
Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	Tax-Exempt Entity (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).	Nature of Debts (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.
Filing Fee (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.		Chapter 11 Debtors 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).

Statistical/Administrative Information <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.										THIS SPACE IS FOR COURT USE ONLY
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										

Voluntary Petition <i>(This page must be completed and filed in every case.)</i>	Name of Debtor(s):
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All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)

Location Where Filed:	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:	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.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b).

X _____
 Signature of Attorney for Debtor(s) (Date)

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 with 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 <i>(This page must be completed and filed in every case.)</i>	Name of Debtor(s): Nichols Nursery Inc.
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Signatures

<p style="text-align: center;">Signature(s) of Debtor(s) (Individual/Joint)</p> <p>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).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (if not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;">Signature of a Foreign Representative</p> <p>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.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed Name of Foreign Representative)</p> <p>_____ Date</p>
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<p style="text-align: center;">Signature of Attorney*</p> <p>X <u>/s/ Christopher A. Ward</u> Signature of Attorney for Debtor(s) <u>Christopher A. Ward (Del. Bar No. 3877)</u> Printed Name of Attorney for Debtor(s) <u>Polsinelli Shughart</u> Firm Name <u>222 Delaware Avenue, Suite 1101</u> <u>Wilmington, Delaware 19801</u> Address <u>(302) 252-0920</u> Telephone Number <u>02/17/2012</u> Date</p> <p><small>*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.</small></p>	<p style="text-align: center;">Signature of Non-Attorney Bankruptcy Petition Preparer</p> <p>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.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ 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.)</p> <p>_____ Address</p> <p>X _____ Signature</p> <p>_____ Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.</p> <p>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.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>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.</i></p>
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<p style="text-align: center;">Signature of Debtor (Corporation/Partnership)</p> <p>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.</p> <p>The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <u>/s/ Stephen J. Nichols</u> Signature of Authorized Individual <u>Stephen J. Nichols</u> Printed Name of Authorized Individual <u>President</u> Title of Authorized Individual <u>02/17/2012</u> Date</p>	<p>_____ Address</p> <p>X _____ Signature</p> <p>_____ Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.</p> <p>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.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>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.</i></p>
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Schedule 1 to the Voluntary Petition

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

On the date hereof, each of the affiliated entities listed below (including the Debtor in this chapter 11 case) filed a voluntary petition for relief under chapter 11 of the Title 11 of the United States Code in the United States Bankruptcy Court for the District of Delaware.

Nichols Excavation, Inc. a Delaware corporation

Nichols Nursery Inc., a Delaware corporation

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) Chapter 11
)
Nichols Excavation Inc., *et al.*,¹) Case No. 12-____ (____)
a Delaware corporation,)
) Joint Administration Pending
Debtors.)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) Chapter 11
)
Nichols Nursery Inc., *et al.*,) Case No. 12-____ (____)
a Delaware corporation,)
) Joint Administration Pending
Debtors.)

ATTACHMENTS FILED WITH CHAPTER 11 PETITIONS

ATTACHMENT A: CONSOLIDATED LIST OF 20 LARGEST UNSECURED CREDITORS

ATTACHMENT B: CORPORATE RESOLUTIONS OF SIGNATURE STYLES, LLC

ATTACHMENT C: CORPORATE RESOLUTIONS OF SIGNATURE STYLES GIFT CARDS, LLC

ATTACHMENT D: LIST OF EQUITY SECURITY HOLDERS

¹ The Debtors in these chapter 11 cases, and the last four digits of each tax identification number, are: Nichols Excavation (3612) and Nichols Nursery (0588). The location of the Debtors' corporate headquarters is: 2742 Pulaski Highway, Newark, DE 19702.

ATTACHMENT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
Nichols Excavation Inc., ¹)	Case No. 12-____ (____)
a Delaware corporation,)	
)	Joint Administration Pending
Debtors.)	

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
Nichols Nursery Inc.,)	Case No. 12-____ (____)
a Delaware corporation,)	
)	Joint Administration Pending
Debtors.)	

***CONSOLIDATED 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 Rule 1007(d) of the Federal Rules of Bankruptcy Procedure for filing in this chapter 11 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.

SEE ATTACHED.

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Nichols Nursery Inc.
Top 20

Vendor	Bill from	Contact	Phone	Balance Total
Nichols, Charlene R - office rent	206 Marabou Drive Newark, DE 19702		302.275.8804	\$ 394,000.00
Cirillo Bros, Inc.	761 Grantham Lane New Castle, DE 19720	Mike Cirillo	302-998-8486	\$ 115,289.30
Nichols Excavation	2742 Pulaski Hwy, Newark, DE 19720	Charlene Nichols		\$ 69,926.39
Business Card 1422 - MC - \$12K	P. O. Box 15796 Wilmington, DE 19886	N/A	800.673.1044	\$ 21,447.32
Ohio Casualty Group	P. O. Box 5001 Hamilton, Ohio 45012-5001		866-223-9928	\$ 19,623.16
Capital One	P. O. Box 71083, Charlotte, NC 28272	N/A	800.867.0904	\$ 17,002.99
Saul Ewing LLP	1500 Market St. Centre Square West Philadelphia, PA 19102-9863		302-421-6800	\$ 14,121.89
EI's Truck & Tire Auto Center, Inc.	2724 Pulaski Highway Newark, DE 19702	Cindy	302-834-1997	\$ 9,010.40
Wilmington Trust Co.- VISA-\$8K	P. O. Box 62014, Baltimore, MD 21264-2014	N/A	800.724.2440	\$ 7,902.23
Business Card 4052 - MC \$12K	P. O. Box 15796 Wilmington, DE 19886	N/A	800.673.1044	\$ 7,898.85
DMCSS	P. O. Drawer 7065 Dover, DE 19903		302.739.6299	\$ 6,905.00
Rode & Armstrong, P. A.	16 Greenmeadow Drive, Suite G111 Timonium, MD 21093	Al Rode	877.296.8201	\$ 5,500.00
PPC Lubricants	305 Micro Drive Jonestown, PA 17038	Larry Adair	866-670-5823	\$ 5,219.91
Home Depot	P. O. Box 183175, Columbus, OH 43218-3175	N/A	800.685.6691	\$ 5,081.53
Giles & Ransome, Inc.	P.O. Box 828735 Philadelphia, PA 19182-8735	Sue Bourel	302-328-4131 - Store	\$ 4,646.21
Nichols, Charlene R	206 Marabou Drive Newark, DE 19702		838-1737	\$ 4,550.07
FleetPride, Inc.	PO Box 281811 Atlanta, GA 30384-1811	Rhonda	361.445.3778	\$ 4,434.83
Comdata	P.O. Box 360239 M Pittsburg PA 15250-6239	Rose	800-741-2777	\$ 4,397.04
PowerPlan John Deere 9272 (Lg Equip Rpr)	P. O. Box 5328 Madison, WI 53705-0328	N/A	800.634.9661	\$ 3,637.81
Internal Revenue Service	P.O. Box 105421 Atlanta, GA 30348-5421		800.829.4933	\$ 3,626.00
Cecil Auto Parts	131 Railroad Avenue Elkton, MD 21921	Mary	800.448.9365	\$ 3,431.57
Navtrak, Inc.	PO Box 1915 Salisbury, MD 21802	Brandon Ross	800.787.2337	\$ 2,593.62
				730,246.12

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
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Nichols Excavation Inc., ¹)	Case No. 12-____ (____)
a Delaware corporation,)	
)	Joint Administration Pending
Debtors.)	

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
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Nichols Nursery Inc.,)	Case No. 12-____ (____)
a Delaware corporation,)	
)	Joint Administration Pending
Debtors.)	

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

I, Steven Nichols, President of Nichols Excavating and Nichols Nursery, declare under penalty of perjury that I have reviewed the Consolidated List of Creditors Holding 20 Largest Unsecured Claims and that it is true and correct to the best of my knowledge, information and belief.

Dated: February 17, 2012

/s/ Stephen J. Nichols
Name: Stephen J. Nichols
Title: President

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ATTACHMENT B

**UNANIMOUS WRITTEN CONSENT OF BOARD OF DIRECTORS
OF NICHOLS EXCAVATION**

Pursuant to Section 141(f) of the Delaware General Corporation Law, the undersigned being all of the directors of the Board of Directors (the “**Board**”) of Nichols Excavation Inc. and Nichols Nursery Inc. (collectively, the “**Company**”), hereby waive any requirements for calling, giving notice of, and holding a special meeting and, in lieu of such meeting, does hereby consent to, approve and adopt the following resolutions:

WHEREAS, the Board has considered the financial and operational aspects of the Company’s business; and

WHEREAS, the Board has reviewed the historical performance of the Company, the market for the Company’s services, and the current and long-term liabilities of the Company; and; therefore, it is hereby

RESOLVED, that in the judgment of the Board, it is desirable and in the best interests of the Company and all of its creditors in order to maximize the value of the Company that the Company file a voluntary petition for relief under the provisions of chapter 11 of Title 11 of the United States Code (the “**Bankruptcy Code**”); and it is further

RESOLVED, that the Board, be and hereby is, authorized and empowered on behalf of, and in the name of, the Company to authorize the Chief Restructuring Officer to execute and verify a petition (the “**Petition**”) under chapter 11 of the Bankruptcy Code and to cause the same to be filed in the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) at such time as said authorized officers executing the same shall determine, and such manager is hereby authorized to determine, the appropriate time for filing the Petition; and it is further

RESOLVED, that the Board, be and hereby is, authorized and empowered on behalf of, and in the name of, the Company to authorize any officer of the Company to execute and file all petitions, schedules, statements, lists, and other papers, as required by applicable law, including any post-petition financing documents, and to take any and all actions that any of the authorized officers may deem necessary, proper or desirable in connection with the bankruptcy case (the “**Case**”), with a view to the successful prosecution and administration of the Case and in furtherance of these resolutions; and it is further

RESOLVED, that POLSINELLI SHUGHART PC be, and hereby is, employed as counsel for the Company under a general renewing retainer to assist the Company in preparing for, and to represent the Company in, the Case; and it is further

RESOLVED, that all acts and transactions relating to matters contemplated by the foregoing resolutions, in the name of and on behalf of the Company, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to

the execution of these resolutions, are hereby in all respects confirmed, approved and ratified, including entry into any debtor in possession financing; and it is further

RESOLVED, that this action is the written consent of the Board of the Company and is effective as of the date set forth below.

Dated: February 17, 2012

By: /s/ Charlene R. Nichols
Board Member

By: /s/ Stephen J. Nichols
Board Member

ATTACHMENT C

ATTACHMENT D

**IN THE UNITED STATES BANKRUPTCY COURT
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Debtors.)

LIST OF EQUITY SECURITY HOLDERS

Nichols Excavation, Inc.

Charlene R Nichols 90%
Stephen J. Nichols 10%

Nichols Nursery, Inc.

Stephen J. Nichols 100%

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

I, Steven Nichols, President of Nichols Excavation and Nichols Nursery, declare under penalty of perjury that I have reviewed the List of Equity Security Holders and that it is true and correct to the best of my knowledge, information and belief.

Dated: February 17, 2012

 /s/ Stephen J. Nichols
Name: Stephen J. Nichols
Title: President

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Dated: February 17, 2012

 /s/ Stephen J. Nichols
Name: Stephen J. Nichols
Title: President

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Dated: February 17, 2012

 /s/ Stephen J. Nichols
Name: Stephen J. Nichols
Title: President

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