B1 (Official Form 1)(1/08)									1	
United States Bankruptcy C Middle District of Florida								Volunta	ry Petition	
Name of Debtor (if individual, enter Last, First, Middle):  Theobald & Sampson, LLC				Name	of Joint De	ebtor (Spouse	e) (Last, First	, Middle):		
All Other Names used by the Deb (include married, maiden, and trac	tor in the last 8 de names):	3 years			All Ot (include	her Names de married,	used by the a	Joint Debtor trade names	in the last 8 years ):	
Last four digits of Soc. Sec. or Inc (if more than one, state all) 04-3723553	dividual-Taxpa	yer I.D. (I	TIN) No./0	Complete E		our digits o		r Individual-'	Taxpayer I.D. (ITIN	) No./Complete EIN
Street Address of Debtor (No. and 131 East 13th Street Saint Cloud, FL	l Street, City, a	nd State):				Address of	Joint Debtor	(No. and St	reet, City, and State	):
				ZIP Code						ZIP Code
County of Residence or of the Pri	ncipal Place of	Business		34769	Count	y of Reside	ence or of the	Principal Pl	ace of Business:	
					3.5.111		27.1.77.1	(10, 1100		
Mailing Address of Debtor (if diff	ferent from stre	eet address	s):		Mailir	ig Address	of Joint Debt	tor (if differe	nt from street addre	ss):
			_	ZIP Code	4					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):										
Type of Debtor			Nature o	of Business			Chapter	of Bankruj	otcy Code Under V	Vhich
(Check one box)  ☐ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP)  ☐ Partnership  (Check one box)  ☐ Health Care Business ☐ Single Asset Real Estate in 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker		siness eal Estate as 101 (51B)	defined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 7 er 9 er 11 er 12	☐ C	hapter 15 Petition for a Foreign Main Prohapter 15 Petition for a Foreign Nonmair	or Recognition occeeding or Recognition		
☐ Other (If debtor is not one of the		Othe	ring Bank r					Natur	e of Debts	
check this box and state type of en	itity below.)	☐ Debt	(Check box or is a tax- r Title 26 o	mpt Entity, if applicable exempt orgof the Unite and Revenue	e) anization d States	defined "incurr	are primarily co d in 11 U.S.C. § red by an indivi- onal, family, or	onsumer debts § 101(8) as idual primarily	by for	ebts are primarily usiness debts.
Filing	Fee (Check on	e box)				one box:		Chapter 11		
■ Full Filing Fee attached  □ 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.  □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				Check	Debtor is if: Debtor's a to insiders all applica A plan is Acceptance	not a small b aggregate nor s or affiliates) ble boxes: being filed w ces of the pla	ncontingent I ) are less that  with this petition were solicity	s defined in 11 U.S. or as defined in 11 U.S. or as defined in 11 U.S. on \$2,190,000.  on. on. oted prepetition from with 11 U.S.C. § 112	J.S.C. § 101(51D). cluding debts owed	
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.					es paid,		THIS	S SPACE IS FOR COU	RT USE ONLY	
Estimated Number of Creditors	200-	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	to \$1 t	\$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	to \$1 t	\$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				

B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Theobald & Sampson, LLC (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 have informed the petitioner that [he or she] may proceed under chapter 7, 11, forms 10K and 10Q) with the Securities and Exchange Commission 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. 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. П 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(1)).

B1 (Official Form 1)(1/08)

# **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.

 $\mathbf{X}$ 

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

# X /s/ Brian M. Mark, Esq.

Signature of Attorney for Debtor(s)

## Brian M. Mark, Esq. 134207

Printed Name of Attorney for Debtor(s)

## Brian Michael Mark, PA

Firm Name

104 North Church Street Kissimmee, FL 34741

Address

# Email: bmark@marklawfirm.com

407-932-3933 Fax: 407-932-3965

Telephone Number

January 22, 2010

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 /s/ Kenneth L. Sampson

Signature of Authorized Individual

## Kenneth L. Sampson

Printed Name of Authorized Individual

#### Member

Title of Authorized Individual

#### January 22, 2010

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):

Theobald & Sampson, LLC

- ☐ 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.)

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.

# United States Bankruptcy Court Middle District of Florida

_	Debt	or ,		
			Chapter	11
	Eyhikit "A" to Volu	ntony Dot	ition	
	Exhibit "A" to Volu	miary Pei	111011	
	1. If any of debtor's securities are registered under Section SEC file number is <b>N/A</b>	12 of the Sec	curities Exchange A	act of 1934, the
	SEC THE HUMBER IS NAME.		<u>—·</u>	
	2. The following financial data is the latest available information	ation and refe	ers to debtor's cond	lition on
	·			
	a. Total assets	\$	0.00	
	b. Total debts (including debts listed in 2.c.,below)	¢	0.00	
	b. Total debts (including debts listed in 2.c.,below)	Φ	0.00	Approximate
				number of
	c. Debt securities held by more than 500 holders.			holders

 secured / / unsecured / / subordinated / / \$
 0.00

 secured / / unsecured / / subordinated / / \$
 0.00

 secured / / unsecured / / subordinated / / \$
 0.00

subordinated / /

subordinated / /

0\_

0

d. Number of shares of preferred stocke. Number of shares of common stock

0.00

0.00

0

Comments, if any:

secured / /

secured / /

Debtor is not required to file SEC reports.

unsecured / /

unsecured / /

3. Brief description of debtor's business:

Construction

4. List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:

Karl Theobald, 50% Kenneth Sampson, 50%

# United States Bankruptcy Court Middle District of Florida

In re	Theobald & Sampson, LLC			
		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]
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Unit 15, 129 13th St. 2008 R.E. Taxes - \$3,252.14 2009 R.E. Taxes - \$3,093.21		6,345.35
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Unit 13, 125 13th St. 2008 R.E. Taxes - \$3,252.14 2009 R.E. Taxes - \$3,093.21		6,345.35
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Unit 16, 131 13th St. 2008 R.E. Taxes - \$3,046.07 2009 R.E. Taxes - \$2,905.75		5,951.82
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Unit 7, 113 E. 13th St. 2008 R.E. Taxes - \$3,046.07 2009 R.E. Taxes - \$2,905.75		5,951.82
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Unit 1, 101 E. 13th St. 2008 R.E. Taxes - \$3,046.07 2009 R.E. Taxes - \$2,905.75		5,951.82
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Unit 14, 127 13th St. 2008 R.E. Taxes - \$2,804.16 2009 R.E. Taxes - \$2,695.77		5,499.93

B4 (Office	rial Form 4) (12/07) - Cont.	
In re	Theobald & Sampson,	LLC

Case No.
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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]
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	1050 Plaza Drive, Suite A 2008 R.E. Taxes - \$3,031.11 2009 R.E. Taxes - \$2,354.89		5,386.00
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	1050 Plaza Drive, Suite J 2008 R.E. Taxes - \$2,690.28 2009 R.E. Taxes - \$2,585.38		5,275.66
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	1050 Plaza Drive, Suite H 2008 R.E. Taxes - \$2,615.87 2009 R.E. Taxes - \$2,447.25		5,063.12
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	1050 Plaza Drive, Suite C 2008 R.E. Taxes - \$2,517.19 2009 R.E. Taxes - \$2,354.89		4,872.08
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	1050 Plaza Drive, Suite B 2008 R.E. Taxes - \$2,467.12 2009 R.E. Taxes - \$2,308.73		4,775.85
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	1050 Plaza Drive, Suite E 2008 R.E. Taxes - \$2,293.18 2009 R.E. Taxes - \$2,401.09		4,694.27
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	1050 Plaza Drive, Suite D 2008 R.E. Taxes - \$2,248.93 2009 R.E. Taxes - \$2,354.89		4,603.82
Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	Osceola County Tax Collector Box 442105 Kissimmee, FL 34742	1050 Plaza Drive, Suite I 2008 R.E. Taxes - \$2,368.42 2009 R.E. Taxes - \$2,216.39		4,584.81

B4 (Offi	cial Form 4) (12/07) - Cont.	
In re	Theobald & Sampson, LLC	

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]
Sharp Land & Development LLC c/o Mark D. Peltzman, Esq. The Rosenthal Law Firm, P.A. 4798 New Broad St., #310 Orlando, FL 32814	Sharp Land & Development LLC c/o Mark D. Peltzman, Esq. The Rosenthal Law Firm, P.A. Orlando, FL 32814	Pending lawsuit in Osceola County, Case No. 08-CA-9871-OC for breach of contract.	Contingent Unliquidated	Unknown

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

I, the 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	January 22, 2010	Signature	/s/ Kenneth L. Sampson
			Kenneth L. Sampson
			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.

Theobald & Sampson, LLC 131 East 13th Street Saint Cloud, FL 34769

Brian M. Mark, Esq. Brian Michael Mark, PA 104 North Church Street Kissimmee, FL 34741

BB&T P.O. Box 580050 Charlotte, NC 28258

First Commercial Bk of FL P.O. Box 568847 Orlando, FL 32856

First Commercial Bk of FL 910 West Vine St. Kissimmee, FL 34741

Osceola County Tax Collector Box 442105 Kissimmee, FL 34742

Sharp Land & Development LLC c/o Mark D. Peltzman, Esq. The Rosenthal Law Firm, P.A. 4798 New Broad St., #310 Orlando, FL 32814