B1 (Official Form 1)(4/10)								
United S	States Bankr ddle District of	ruptcy ( f Florida	Court				Volunta	ary Petition
Name of Debtor (if individual, enter Last, First, Bermont Partners, LLC	Middle):		Name	of Joint De	ebtor (Spouse	e) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			All Ot (inclue	her Names de married,	used by the J maiden, and	Joint Debtor in trade names):	n the last 8 years :	
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) 26-1785548	yer I.D. (ITIN) No./C	Complete EIN		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, a 1133 Bal Harbor Blvd. Suite 1139	nd State):		Street	Address of	Joint Debtor	(No. and Stre	eet, City, and Star	te):
Punta Gorda, FL		ZIP Code	_					ZIP Code
County of Residence or of the Principal Place of Charlotte		3950	Count	y of Reside	ence or of the	Principal Pla	ce of Business:	
Mailing Address of Debtor (if different from stre	eet address):		Mailir	ng Address	of Joint Debt	or (if differen	t from street add	ress):
	Γ	ZIP Code	_					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):	1133 Bal H Suite 1139 Punta Goro							
Type of Debtor		f Business					tcy Code Under	
<ul> <li>(Form of Organization) (Check one box)</li> <li>Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.</li> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> <li>(Check one box)</li> <li>Health Care Business</li> <li>Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B)</li> <li>Railroad</li> <li>Stockbroker</li> <li>Commodity Broker</li> <li>Commodity Broker</li> </ul>		efined	<ul> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> </ul>	er 7 er 9 er 11 er 12	□ Ch of : □ Ch	ed (Check one be apter 15 Petition a Foreign Main P apter 15 Petition a Foreign Nonma	for Recognition Proceeding for Recognition	
Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<ul> <li>Clearing Bank</li> <li>Other</li> </ul>						of Debts	
encer and some type of entity below.)		f the United	ble)       Debts are primarily consumer debts,       Debts are primarily consumer debts,         rganization       defined in 11 U.S.C. § 101(8) as       business debts.         incurred by an individual primarily for       business debts.					
Filing Fee (Check one box	)	Check or			-	ter 11 Debto		
<ul> <li>attach signed application for the court's consideratidebtor is unable to pay fee except in installments. I Form 3A.</li> <li>Filing Fee waiver requested (applicable to chapter</li> </ul>	Fee to be paid in installments (applicable to individuals only). Must signed application for the court's consideration certifying that the is unable to pay fee except in installments. Rule 1006(b). See Official Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders to a loce there \$2,342,300 (concernt which is a diagram three agents and the set of the s			ry three years thereafter).				
Statistical/Administrative Information ★a ■ Debtor estimates that funds will be available □ Debtor estimates that, after any exempt prop there will be no funds available for distribution	erty is excluded and a	secured cred	itors.	es paid,		THIS	SPACE IS FOR CC	OURT USE ONLY
1- 50- 100- 200- 49 99 199 999	1,000-         5,001-           5,000         10,000	10,001- 2	] 25,001- 0,000	□ 50,001- 100,000	OVER 100,000			
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1 million	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	\$50,000,001 \$ to \$100 t	] 100,000,001 5 \$500 nillion	\$500,000,001 to \$1 billion	More than \$1 billion			
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001         \$10,000,001           to \$10         to \$50           million         million	\$50,000,001 \$ to \$100 t	] 100,000,001 5 \$500 nillion	5500,000,001 to \$1 billion	More than \$1 billion			

B1 (Official For	rm 1)(4/10)		Page 2		
Voluntar	y Petition	Name of Debtor(s): Bermont Partners,			
	• ust be completed and filed in every case)	Bermont Partners,	LEC		
(11115 puge 1111	All Prior Bankruptcy Cases Filed Within Las	<b>t 8 Years</b> (If more than two	o. attach additional sheet)		
Location Where Filed:		Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (	If more than one, attach additional sheet)		
Name of Debt - None -	tor:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A		Exhibit B		
forms 10K a pursuant to s and is reque	pleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 (sting relief under chapter 11.) A is attached and made a part of this petition.	urities and Exchange Commission the Securities Exchange Act of 1934 oter 11.) have informed the petitioner that [he or she] may proceed under chapter 7, 1 12, or 13 of title 11, United States Code, and have explained the relief availad under each such chapter. I further certify that I delivered to the debtor the no required by 11 U.S.C. §342(b).			
	Ext	ıbit C			
	or own or have possession of any property that poses or is alleged to I Exhibit C is attached and made a part of this petition.	pose a threat of imminent and	d identifiable harm to public health or safety?		
	Ext	nibit D			
-	bleted by every individual debtor. If a joint petition is filed, ea		and attach a separate Exhibit D.)		
	D completed and signed by the debtor is attached and made	a part of this petition.			
If this is a joi □ Exhibit	Int petition: D also completed and signed by the joint debtor is attached a	and made a part of this pet	ition.		
	Information Regardin	ng the Debtor - Venue			
_	(Check any ap	-			
	Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for				
	There is a bankruptcy case concerning debtor's affiliate, g	eneral partner, or partnersh	ip pending in this District.		
	Debtor is a debtor in a foreign proceeding and has its prin- this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	s in the United States but is	s a defendant in an action or		
	Certification by a Debtor Who Reside		tial Property		
	(Check all app) Landlord has a judgment against the debtor for possession		ox checked, complete the following.)		
	(Name of landlord that obtained judgment)				
	(Name of fandiord that obtained judgment)				
	(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment				
	Debtor has included in this petition the deposit with the co after the filing of the petition.	ourt of any rent that would	become due during the 30-day period		
	Debtor certifies that he/she has served the Landlord with t	his certification. (11 U.S.C	. § 362(1)).		

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)). 

B1 (Official Form 1)(4/10) Voluntary Petition	Page :           Name of Debtor(s):
voluntary Petition	Bermont Partners, LLC
(This page must be completed and filed in every case)	
	natures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct.	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
[If petitioner is an individual whose debts are primarily consumer debts and	proceeding, and that I am authorized to file this petition.
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	(Check only one box.)
available under each such chapter, and choose to proceed under chapter 7.	□ I request relief in accordance with chapter 15 of title 11. United States Code
[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).	Certified copies of the documents required by 11 U.S.C. §1515 are attached.
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	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.
speenee in ans periodi	V
X Signature of Debtor	X
Signature of Debtor	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
X	Printed Name of Foreign Representative
Signature of Joint Debtor	
	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
Date	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
Signature of Attorney*	compensation and have provided the debtor with a copy of this document
~- <u>-</u>	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
X /s/ Robert L. Vaughn	pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services
Signature of Attorney for Debtor(s)	chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a
Robert L. Vaughn 0909858	debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
Printed Name of Attorney for Debtor(s)	Official Form 19 is attached.
Robert L. Vaughn, Esq.	Printed Name and title, if any, of Bankruptcy Petition Preparer
Firm Name	Finited Name and the, if any, of Bankrupicy Fettion Flepater
2080 Collier Ave Fort Myers, FL 33901	
	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
Address	preparer.)(Required by 11 U.S.C. § 110.)
Email: robertIvaughnesq@earthlink.net 239-936-9393 Fax: 239-236-0889	
Telephone Number	
January 3, 2011	
Date	Address
*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a	X
certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	· · · · · · · · · · · · · · · · · · ·
	Date
Signature of Debtor (Corporation/Partnership)	
	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.
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.	Names and Social-Security numbers of all other individuals who prepared or
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	assisted in preparing this document unless the bankruptcy petition preparer is not an individual:
$\mathbf X$ /s/ Lovina Lehr	
X /s/ Lovina Lehr Signature of Authorized Individual	
Lovina Lehr	If more than one person prepared this document, attach additional sheets
Printed Name of Authorized Individual	conforming to the appropriate official form for each person.
Managing Partner	A bankruptcy petition preparer's failure to comply with the provisions of
Title of Authorized Individual	title 11 and the Federal Rules of Bankruptcy Procedure may result in
January 3, 2011	fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.
Date	

In re Bermont Partners, LLC

Debtor(s)

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]
ASAP 5377 McIntosch Road Sarasota, FL 34233	ASAP 5377 McIntosch Road Sarasota, FL 34233	Business Trade Debt	Contingent Unliquidated Disputed	24,426.00
Busey Bank, N.A. 1490 Tamiami Trail Pt. Charlotte, FL 33948	Busey Bank, N.A. 1490 Tamiami Trail Pt. Charlotte, FL 33948	Revolving Credit	Contingent Unliquidated Disputed	8,055.00

Case No.

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Debtor(s)

(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]

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

I, the Managing Partner 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 3, 2011

Signature /s/ Lovina Lehr Lovina Lehr Managing Partner

*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.

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Bermont Partners, LLC

Debtor

Case No.		

Chapter\_\_\_\_\_11

### SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	0.00		
B - Personal Property	Yes	4	628,500.00		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	2		550,000.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		32,481.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedu	ıles	11			
	T	otal Assets	628,500.00		
			Total Liabilities	582,481.00	

In re

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### Bermont Partners, LLC

Debtor

Case No.

Chapter\_\_\_\_\_11

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

□ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

#### This information is for statistical purposes only under 28 U.S.C. § 159.

#### Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

#### State the following:

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	
<ol> <li>Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column</li> </ol>	
4. Total from Schedule F	
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	

In re Bermont Partners, LLC

Case No.

Debtor

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
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None

Sub-Total >	0.00	(Total of this page)

0.00

(Report also on Summary of Schedules)

Total >

In re Bermont Partners, LLC

Case No.

Debtor

### **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

# Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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).

	Type of Property	N O Description and Location of Property E	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1.	Cash on hand	X		
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	Suntrust Bank Business Checking Account Account Ending: 6088	-	3,000.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	x		
4.	Household goods and furnishings, including audio, video, and computer equipment.	x		
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X		
6.	Wearing apparel.	x		
7.	Furs and jewelry.	x		
8.	Firearms and sports, photographic, and other hobby equipment.	x		
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X		
10.	Annuities. Itemize and name each issuer.	x		

3,000.00

**3** continuation sheets attached to the Schedule of Personal Property

### Bermont Partners, LLC

Case No.

Debtor

### SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	x			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	x			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	х			
16.	Accounts receivable.	Α	ccounts Receivable	-	8,500.00
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.				
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	x			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			

Sub-Total > (Total of this page)

8,500.00

Bermont Partners, LLC

Case No.

Debtor

### **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22.	Patents, copyrights, and other intellectual property. Give particulars.	х			
23.	Licenses, franchises, and other general intangibles. Give		Desoto County Escavation Permit	-	Unknown Amount
	particulars.		Charlotte County Escvation Permit	-	Unknown Amount
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	Х			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.		2000 Mack Dumptruck-Zero Liens VIN ENDING: W002117 150,000 + Miles	-	20,000.00
			1994 Kenworth Dumptruck-Zero Liens VIN ENDING: S631890 150,000+ Miles	-	15,000.00
			1992 Kenworth Dumptruck-Zero Liens VIN ENDING: NM569732 150,000+ Miles	-	15,000.00
			1997 Ford Dumptruck-Zero Liens VIN ENDING: VVA 150,000 + Miles	-	15,000.00
26.	Boats, motors, and accessories.	х			
27.	Aircraft and accessories.	Х			
28.	Office equipment, furnishings, and supplies.		Two Desks, Three Filing Cabinets, Fax System, Phone System, Three Computers, Two Printers, Three Chairs, Work Table, and other standard offic supplies	- e	2,000.00
29.	Machinery, fixtures, equipment, and supplies used in business.		Komatsu Five Yard Wheel Loader to be Retained VIN ENDING: A53277	-	100,000.00
			Komatsu 300 HD8 Hydraulic Excavator to be Retained VIN: A87014	-	150,000.00

Sheet <u>2</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Sub-Total > (Total of this page)

317,000.00

**Bermont Partners, LLC** 

Case No.

Debtor

### **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
	Komatsu 20 Retained	009 400LC 8 Hydraulic Excavator to be	-	300,000.00
30. Inventory.	x			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	x			
33. Farming equipment and implements.	x			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	x			

Sub-Total >	
(Total of this page)	
Total >	

300,000.00

628,500.00

(Report also on Summary of Schedules)

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

**Bermont Partners, LLC** 

Case No.

Debtor

### **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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). If all secured

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). If all secured creditors will not fit on this page, use the continuation sheet provided. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.) Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data. Ď Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	Hu H J C	Isband, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONT - NGEN	UNLLQULDAT	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxxxx068b Creditor #: 1 Komatsu Financial C/O Charles Thompson One Continental Towers 1701 W. Golf Rd Suite 300 Rolling Meadows, IL 60008	x	-	Secured Equipment Lien Komatsu Five Yard Wheel Loader to be Retained VIN ENDING: A53277	×	E D	x	400,000,00	0.00
Account No.		-				$\left  \right $	100,000.00	0.00
Sunbelt Services and Solutions PO Box 532 Groveland, FL 34736			Representing: Komatsu Financial				Notice Only	
			Value \$					
Account No. xxxxx626b Creditor #: 2 Komatsu Financial C/O Charles Thompson One Continental Towers 1701 W. Golf Rd Suite 300		-	Secured Equipment Lien Komatsu 300 HD8 Hydraulic Excavator to be Retained VIN: A87014	x	x	x		
Rolling Meadows, IL 60008			Value \$ 150,000.00				150,000.00	0.00
Account No. Sunbelt Services and Solutions PO Box 532 Groveland, FL 34736			Representing: Komatsu Financial				Notice Only	
			Value \$			Ц		
1 continuation sheets attached			S (Total of ti	ubt nis j			250,000.00	0.00

In re **Bermont Partners, LLC**  Case No.\_\_\_\_\_

Debtor

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Hu H J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN		UNLIQUIDATE	I S P U T u	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. <b>xxxxx7002</b>			Secured Equipment Lien	['	Ē			
Creditor #: 3 Komatsu Financial C/O Charles Thompson One Continental Towers 1701 W. Golf Rd Suite 300 Rolling Meadows, IL 60008		-	Komatsu 2009 400LC 8 Hydraulic Excavator to be Retained Value \$ 300,000.00	x	x		300,000.00	0.00
Account No.			,					
Account No.			Value \$					
			Value \$					
Account No.			value o	+	$\vdash$			
			Value \$					
Account No.								
			Value \$					
Sheet <u>1</u> of <u>1</u> continuation sheets attac Schedule of Creditors Holding Secured Claims	heo	d to	) (Total of	Sub his			300,000.00	0.00
Selective of creations froming secured Claims			(Report on Summary of S	]	Fota	ıl	550,000.00	0.00

#### Bermont Partners, LLC

Case No.

Debtor

### **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### **Domestic support obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### □ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### □ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### □ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### □ Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### □ Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### □ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

**Bermont Partners, LLC** 

Case No.

Debtor

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) Account No. <b>xx0013</b> Creditor #: 1 ASAP		HI HI H H	CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFE SO STATE		U I D T E D			AMOUNT OF CLAIM
5377 McIntosch Road Sarasota, FL 34233		-		×	: <b>x</b>	(	x	24,426.00
Account No. xxxx-xxxx-3041 Creditor #: 2 Busey Bank, N.A. 1490 Tamiami Trail Pt. Charlotte, FL 33948	,	<b>x</b> -	Revolving Credit	×	<b>x</b>	<	x	8,055.00
Account No.								
Account No.						Ť		
<b>_0</b> continuation sheets attached	8		(Total of	Sub this				32,481.00
				,	Tot	al		32 481 00

(Report on Summary of Schedules)

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#### **Bermont Partners, LLC**

Case No.

Debtor

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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).

Check this box if debtor has no executory contracts or unexpired leases

Stephen Hall	1 59 Acre Site-Leased for 40 Cents a Yard off
Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.

Stephen Hall 7812 SE Pairee Creek Arcadia, FL 34266 1 59 Acre Site-Leased for 40 Cents a Yard off Sales 1 47 Acre Site-Lease 40 Cents a Yard off Sales

Bermont Partners, LLC

Case No.

Debtor

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Charles A. Robinson 7300 Newburgh Road Depauw, IN 47115	Komatsu Financial C/O Charles Thompson One Continental Towers 1701 W. Golf Rd Suite 300 Rolling Meadows, IL 60008
Daniel Beaudion 5060 North Beach Road Unit 101 Englewood, FL 34223	Busey Bank, N.A. 1490 Tamiami Trail Pt. Charlotte, FL 33948
Daniel Beaudion 5060 North Beach Road Unit 101 Englewood, FL 34223	Komatsu Financial C/O Charles Thompson One Continental Towers 1701 W. Golf Rd Suite 300 Rolling Meadows, IL 60008
Lovina Lehr 91 Vivante Blvd Punta Gorda, FL 33950	Komatsu Financial C/O Charles Thompson One Continental Towers 1701 W. Golf Rd Suite 300 Rolling Meadows, IL 60008
Lovina Lehr 91 Vivante Blvd Punta Gorda, FL 33950	Busey Bank, N.A. 1490 Tamiami Trail Pt. Charlotte, FL 33948
Michael Beaudion 2590 North Beach Road Unit 1000 Englewood, FL 34223	Komatsu Financial C/O Charles Thompson One Continental Towers 1701 W. Golf Rd Suite 300 Rolling Meadows, IL 60008

In re Bermont Partners, LLC

Debtor(s)

Case No. Chapter

11

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Managing Partner of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 13 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date January 3, 2011

Signature /s/ Lovina Lehr Lovina Lehr

### **Managing Partner**

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.

In re Bermont Partners, LLC

Debtor(s)

Case No. Chapter

11

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$0.00	2011 YTD Approximate Gross Receipts
\$500,000.00	2010 Estimated Gross Receipts
\$89,941.00	2009 Gross Receipts

#### 2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

#### 3. Payments to creditors



#### Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	DATES OF	AMOUNT PAID	AMOUNT STILL
OF CREDITOR	PAYMENTS		OWING

None b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850<sup>\*</sup>. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR Busey Bank, N.A. 1490 Tamiami Trail Pt. Charlotte, FL 33948	DATES OF PAYMENTS/ TRANSFERS October, November, December 2010	AMOUNT PAID OR VALUE OF TRANSFERS <b>\$12,000.00</b>	AMOUNT STILL OWING <b>\$8,055.00</b>
Stephen Hall 7812 SE Pairee Creek Arcadia. FL 34266	October, November and December 2010	\$9,000.00	\$0.00

None c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT	NATURE OF	COURT OR AGENCY	STATUS OR
AND CASE NUMBER	PROCEEDING	AND LOCATION	DISPOSITION

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

AMOUNT PAID

AMOUNT STILL

OWING

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

#### 5. Repossessions, foreclosures and returns

None List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CREDIT Komats C/O Cha One Cou 1701 W.	AND ADDRESS OF FOR OR SELLER u Financial arles Thompson ntinental Towers Golf Rd Suite 300 Meadows, IL 60008	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN <b>December 2010</b>	DESCRIPTION AI PROPE Komatsu Five Ya VIN ENDING: A5 \$100,000.00	RTY ard Wheel Loader to be Retained
C/O Cha One Cor 1701 W.	u Financial arles Thompson ntinental Towers Golf Rd Suite 300 Meadows, IL 60008	December 2010	Komatsu 300 HE Retained VIN: A87014 \$150,000.00	08 Hydraulic Excavator to be
	6. Assignments and receiverships	3		
None	this case. (Married debtors filing un	erty for the benefit of creditors made with ader chapter 12 or chapter 13 must include buses are separated and a joint petition is	le any assignment by e	
NAME A	AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIC	ONMENT OR SETTLEMENT
None	preceding the commencement of th	in the hands of a custodian, receiver, or c is case. (Married debtors filing under cha whether or not a joint petition is filed, unl	apter 12 or chapter 13	must include information concerning
	AND ADDRESS USTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
1	7. Gifts			
None	and usual gifts to family members a aggregating less than \$100 per recip	ions made within <b>one year</b> immediately p aggregating less than \$200 in value per in pient. (Married debtors filing under chap ot a joint petition is filed, unless the spou	dividual family memb ter 12 or chapter 13 m	ber and charitable contributions ust include gifts or contributions by
	E AND ADDRESS OF I OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
	8. Losses			
None	since the commencement of this c	casualty or gambling within <b>one year</b> in <b>ase.</b> (Married debtors filing under chapte ion is filed, unless the spouses are separa	r 12 or chapter 13 mu	st include losses by either or both
	PTION AND VALUE PROPERTY	DESCRIPTION OF C LOSS WAS COVERE BY INSURANCE		PART DATE OF LOSS

### 9. Payments related to debt counseling or bankruptcy

None List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

OF P Robert L 2080 Co	ND ADDRESS PAYEE Vaughn, Esq. Ilier Avenue ers, FL 33901	DATE OF PAY NAME OF PAYOR THAN DEB <b>January 2010</b>	IF OTHER	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY \$10,000.00	
	10. Other transfers				
None	transferred either absolutely or a	than property transferred in the ordina s security within <b>two years</b> immediat or 13 must include transfers by either of t petition is not filed.)	ely preceding the commence	ment of this case. (Married debtors	
	ND ADDRESS OF TRANSFERE ELATIONSHIP TO DEBTOR	EE, DATE		ERTY TRANSFERRED LUE RECEIVED	
None	b. List all property transferred b trust or similar device of which	y the debtor within <b>ten years</b> immedi the debtor is a beneficiary.	ately preceding the commen	cement of this case to a self-settled	
NAME O	F TRUST OR OTHER	DATE(S) OF TRANSFER(S)		NEY OR DESCRIPTION AND ERTY OR DEBTOR'S INTEREST	
	11. Closed financial accounts				
None	List an inflation accounts and instruments field in the name of the debtor of for the debtor of the debtor which were closed, sold, of				
NAME A	ND ADDRESS OF INSTITUTIO	DIGITS OF ACC	UNT, LAST FOUR COUNT NUMBER, F FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING	
	12. Safe deposit boxes				
None	immediately preceding the comr	ox or depository in which the debtor h nencement of this case. (Married debt puses whether or not a joint petition is	ors filing under chapter 12 c	r chapter 13 must include boxes or	
	ND ADDRESS OF BANK HER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY	
	13. Setoffs				
None	commencement of this case. (Ma	itor, including a bank, against a debt or arried debtors filing under chapter 12 etition is filed, unless the spouses are	or chapter 13 must include i	nformation concerning either or both	
NAME A	ND ADDRESS OF CREDITOR	DATE OF SETOFF		AMOUNT OF SETOFF	

14. Property held for another person

List all property owned by another person that the debtor holds or controls.

None

NAME A	AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF F	ROPERTY LOCATIO	ON OF PROPERTY	
	15. Prior address of debtor				
None		in <b>three years</b> immediately preceding the c and vacated prior to the commencement of			
ADDRE	SS	NAME USED		DATES OF OCCUPANCY	
	16. Spouses and Former Sp	ouses			
None	If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within <b>eight years</b> immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.				
NAME					
	17. Environmental Informa	tion.			
	For the purpose of this quest	ion, the following definitions apply:			
	or toxic substances, wastes o	any federal, state, or local statute or regula r material into the air, land, soil, surface wa ting the cleanup of these substances, waster	ater, groundwater, or other		
		on, facility, or property as defined under an ne debtor, including, but not limited to, disp		ther or not presently or formerly	
		neans anything defined as a hazardous wast nt or similar term under an Environmental I		ic substance, hazardous material,	
None		of every site for which the debtor has recei in violation of an Environmental Law. Ind			
SITE NA	ME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW	
None		of every site for which the debtor provided mental unit to which the notice was sent ar		init of a release of Hazardous	
SITE NA	ME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW	
None		trative proceedings, including settlements of Indicate the name and address of the govern			
	AND ADDRESS OF NMENTAL UNIT	DOCKET NUMBER		STATUS OR DISPOSITION	

#### 18 . Nature, location and name of business

None a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

	ATURE OF BUSINESS and Excavation	BEGINNING AND ENDING DATES <b>2007 to Present</b>
--	-------------------------------------	---

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME

ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

None  $\square$  a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Crosland, Joiner, Schortz & Company 4161 Tamiami Trail Suite 501 Port Charlotte, FL 33952

Charles and Company 312 Catapa Street Pineville, KY 40977 DATES SERVICES RENDERED 2007 to Present for Annual Federal Taxes and Quarterly Taxes

April 2010 to Current

None b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

#### NAME

ADDRESS

#### DATES SERVICES RENDERED

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME		ADDRES	S	
None	d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within <b>two years</b> immediately preceding the commencement of this case.			
NAME A	AND ADDRESS	Ι	DATE ISSUED	
	20. Inventories			
None		ast two inventories taken of your property, the name of t and basis of each inventory.	he person who supervised the taking of each inventory,	
DATE O	F INVENTORY	INVENTORY SUPERVISOR	DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis)	
None	b. List the name and add	lress of the person having possession of the records of e	ach of the two inventories reported in a., above.	
DATE O	FINVENTORY	NAME AND ADDR RECORDS	ESSES OF CUSTODIAN OF INVENTORY	
	21 . Current Partners,	Officers, Directors and Shareholders		
None	a. If the debtor is a partr	ership, list the nature and percentage of partnership into	erest of each member of the partnership.	
Lovina I 91 Vivai		NATURE OF INTEREST Managing Partner	PERCENTAGE OF INTEREST <b>25%</b>	
7300 Ne	A. Robinson wburgh Road v, IN 47115	Partner	25%	
5060 No Unit 101	Beaudion orth Beach Road I ood, FL 34223	Partner	25%	
Michael 2590 No Unit 100	Beaudion orth Beach Road	Partner	25%	
None		oration, list all officers and directors of the corporation, ent or more of the voting or equity securities of the corp		
NAME A	ND ADDRESS	TITLE	NATURE AND PERCENTAGE OF STOCK OWNERSHIP	
	22 . Former partners, o	fficers, directors and shareholders		
None	a. If the debtor is a partr commencement of this c	hership, list each member who withdrew from the partne ase.	ership within <b>one year</b> immediately preceding the	
NAME		ADDRESS	DATE OF WITHDRAWAL	
None		oration, list all officers, or directors whose relationship he commencement of this case.	with the corporation terminated within <b>one year</b>	
NAME A	AND ADDRESS	TITLE	DATE OF TERMINATION	

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#### 23. Withdrawals from a partnership or distributions by a corporation



<sup>e</sup> If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

#### 24. Tax Consolidation Group.

None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

#### NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

### 25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

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

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date January 3, 2011

Signature /s/ Lovina Lehr

Lovina Lehr Managing Partner

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

In	re
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Bermont Partners, LLC

Debtor

Case No.		

Chapter\_\_\_\_\_11

### LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address	Security	Number	Kind of
or place of business of holder	Class	of Securities	Interest

None

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

I, the Managing Partner of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date January 3, 2011

Signature <u>/s/ Lovina Lehr</u> Lovina Lehr Managing Partner

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.

In re Bermont Partners, LLC

Debtor(s)

Case No. Chapter

11

## **VERIFICATION OF CREDITOR MATRIX**

I, the Managing Partner of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: January 3, 2011

/s/ Lovina Lehr

Lovina Lehr/Managing Partner Signer/Title Bermont Partners, LLC 1133 Bal Harbor Blvd. Suite 1139 Punta Gorda, FL 33950

Robert L. Vaughn Robert L. Vaughn, Esq. 2080 Collier Ave Fort Myers, FL 33901

Experian Post Office Box 2002 Allen, TX 75013-2002

Equifax Post Office Box 740241 Atlanta, GA 30374

Transunion Post Office Box 2000 Chester, PA 19022

Internal Revenue Service 7850 SW 6th Ct. Mail Stop 5730 Fort Lauderdale, FL 33324

Internal Revenue Service 7850 SW 6th Ct. Mail Stop 5730 Fort Lauderdale, FL 33324

ASAP 5377 McIntosch Road Sarasota, FL 34233

Busey Bank, N.A. 1490 Tamiami Trail Pt. Charlotte, FL 33948 Charles A. Robinson 7300 Newburgh Road Depauw, IN 47115

Daniel Beaudion 5060 North Beach Road Unit 101 Englewood, FL 34223

Internal Revenue Service Centralized Insolvency Oper. P.O. Box 21126 Philadelphia, PA 19114

Komatsu Financial C/O Charles Thompson One Continental Towers 1701 W. Golf Rd Suite 300 Rolling Meadows, IL 60008

Lovina Lehr 91 Vivante Blvd Punta Gorda, FL 33950

Michael Beaudion 2590 North Beach Road Unit 1000 Englewood, FL 34223

Stephen Hall 7812 SE Pairee Creek Arcadia, FL 34266

Sunbelt Services and Solutions PO Box 532 Groveland, FL 34736

<b>United States Bankruptcy Court</b>	t
Middle District of Florida	

Dabtor(a)

Case No.

11

Chantar

	Deor	or(s) Chapte		
	DISCLOSURE OF COMPENSATION (	<b>OF ATTORNEY FOR</b>	DEBTOR(S)	
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:			
	For legal services, I have agreed to accept	\$	10,000.00	
	Prior to the filing of this statement I have received	\$	10,000.00	
	Balance Due	\$	0.00	
2.	The source of the compensation paid to me was:			
	■ Debtor □ Other (specify):			
3.	The source of compensation to be paid to me is:			

**Debtor Debtor** Other (specify):

**Bermont Partners, LLC** 

In re

- 4. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
  - □ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

#### No other provisions

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other contested matter or adversary proceeding; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods. Representation of the debtor(s) in any matter post-discharge and/or post confirmation.

#### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: January 3, 2011	/s/ Robert L. Vaughn
	Robert L. Vaughn 0909858
	Robert L. Vaughn, Esq.
	2080 Collier Ave
	Fort Myers, FL 33901
	239-936-9393 Fax: 239-236-0889
	robertlvaughnesq@earthlink.net

In re Bermont Partners, LLC

Debtor(s)

Case No. Chapter

11

### CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for <u>Bermont Partners, LLC</u> in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

January 3, 2011

Date

/s/ Robert L. Vaughn Robert L. Vaughn 0909858 Signature of Attorney or Litigant Counsel for Bermont Partners, LLC Robert L. Vaughn, Esq. 2080 Collier Ave Fort Myers, FL 33901 239-936-9393 Fax:239-236-0889 robertlvaughnesq@earthlink.net