B1 (Official Form 1)(04/13) United Not	States Bank rthern District	ruptcy ( of Florida	Court				Voluntary	Petition
Name of Debtor (if individual, enter Last, First, Middle):  MO'TREES, LLC				of Joint Do	ebtor (Spouse	) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):					used by the J maiden, and		in the last 8 years ):	
Last four digits of Soc. Sec. or Individual-Taxp (if more than one, state all) 59-3654893	ayer I.D. (ITIN)/Com	plete EIN	Last for	our digits o	f Soc. Sec. or	Individual-7	Гахрауег I.D. (ITIN) N	o./Complete EIN
Street Address of Debtor (No. and Street, City, 380 LURTON STREET PENSACOLA, FL	and State):	ZIP Code	Street	Address of	Joint Debtor	(No. and Str	reet, City, and State):	ZIP Code
County of Residence or of the Principal Place o		32505	Count	y of Reside	ence or of the	Principal Pla	ace of Business:	Zin Godo
Mailing Address of Debtor (if different from str	eet address):		Mailir	ng Address	of Joint Debt	or (if differer	nt from street address):	
	Γ	ZIP Code	-					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):	r							
Type of Debtor  (Form of Organization) (Check one box)  Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)  Partnership  Other (If debtor is not one of the above entities, check this box and state type of entity below.)  Chapter 15 Debtors  Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	(Checl  ☐ Health Care Bu ☐ Single Asset Re in 11 U.S.C. § ☐ Railroad ☐ Stockbroker ☐ Commodity Br ☐ Clearing Bank ☐ Other  Tax-Exe	eal Estate as d 101 (51B)  oker  mpt Entity  ,, if applicable) tempt organizat the United State	ion es	defined	the I er 7 er 9 er 11 er 12	Checkonsumer debts, 101(8) as dual primarily	busin	Recognition eding
Filing Fee (Check one box  Full Filing Fee attached  Filing Fee to be paid in installments (applicable to attach signed application for the court's considerat debtor is unable to pay fee except in installments. Form 3A.  Filing Fee waiver requested (applicable to chapter attach signed application for the court's considerate.	individuals only). Musion certifying that the Rule 1006(b). See Offic 7 individuals only). Mu	Check all	btor is a si btor is not btor's aggi- less than applicable blan is bein ceptances	a small busi regate nonco \$2,490,925 ( e boxes: ng filed with of the plan w	debtor as definess debtor as debtor as debtor as dentingent liquida amount subject this petition.	defined in 11 United debts (exc to adjustment		ee years thereafter).
Statistical/Administrative Information  Debtor estimates that funds will be available Debtor estimates that, after any exempt properthere will be no funds available for distribut Estimated Number of Creditors	perty is excluded and ion to unsecured cred	administrative	e expense			THIS	SPACE IS FOR COURT	USE ONLY
Estimated Assets	1,000- 5,001- 5,000 10,000	25,000 5	25,001-	50,001- 100,000	OVER 100,000			
S0 to \$50,001 to \$100,001 to \$500,001 to \$1 million	\$1,000,001 \$10,000,001 to \$10 to \$50 million	to \$100 to	100,000,001 5 \$500 nillion	\$500,000,001 to \$1 billion				
S0 to \$50,001 to \$100,001 to \$500,001 \$550,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50			\$500,000,001 to \$1 billion				

Case 14-30496-WSS Doc 1 Filed 05/06/14 Page 2 of 11

**B1** (Official Form 1)(04/13) Page 2 Name of Debtor(s): Voluntary Petition MO'TREES, 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) Case Number: Location Date Filed: Where Filed: - None -Date Filed: Location Case Number: 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 forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available 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. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

B1 (Official Form 1)(04/13) Page 3

Signatures

#### **Voluntary Petition**

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

# MO'TREES, LLC

Name of Debtor(s):

#### 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/ CAMERON A. METCALF

Signature of Attorney for Debtor(s)

#### CAMERON A. METCALF ASB-9874-E48C

Printed Name of Attorney for Debtor(s)

#### ESPY, METCALF & ESPY, P.C.

Firm Name

326 N. OATES ST. P.O. DRAWER 6504 DOTHAN, AL 36302-6504

Address

#### 334-793-6288 Fax: 334-712-1617

Telephone Number

### May 6, 2014

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/ JAMES C. MOULTON

Signature of Authorized Individual

#### JAMES C. MOULTON

Printed Name of Authorized Individual

#### **MANAGING MEMBER**

Title of Authorized Individual

May 6, 2014

Date

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

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2	١

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.)

	_			
٩	٧	v	•	
	١,	8		

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.

Case 14-30496-WSS Doc 1 Filed 05/06/14 Page 4 of 11

#### United States Bankruptcy Court Northern District of Florida

In re	MO'TREES, LLC		Case No.	
		Debtor(s)	Chapter	11

#### STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, JAMES C. MOULTON, declare under penalty of perjury that I am the MANAGING MEMBER of MO'TREES, LLC, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the <u>6TH</u> day of <u>MAY</u>, 2014.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **JAMES C. MOULTON**, **MANAGING MEMBER** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **JAMES C. MOULTON**, **MANAGING MEMBER** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that JAMES C. MOULTON, MANAGING MEMBER of this Corporation is authorized and directed to employ CAMERON A. METCALF ASB-9874-E48C, attorney and the law firm of ESPY, METCALF & ESPY, P.C. to represent the corporation in such bankruptcy case."

Date	May 6, 2014	Signed	/s/ JAMES C. MOULTON
		"	JAMES C. MOULTON

#### Case 14-30496-WSS Doc 1 Filed 05/06/14 Page 5 of 11

# Resolution of Board of Directors of MO'TREES, LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **JAMES C. MOULTON**, **MANAGING MEMBER** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that JAMES C. MOULTON, MANAGING MEMBER of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that JAMES C. MOULTON, MANAGING MEMBER of this Corporation is authorized and directed to employ CAMERON A. METCALF ASB-9874-E48C, attorney and the law firm of ESPY, METCALF & ESPY, P.C. to represent the corporation in such bankruptcy case.

Date May	6, 2014	Signed	/S/ JAMES C. MOULTON
Date		Signed	

**B4** (Official Form 4) (12/07)

#### United States Bankruptcy Court Northern District of Florida

In re	MO'TREES, LLC	TREES, 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]
ALABAMA DEPT OF REVENUE LEGAL DIVISION P. O. BOX 320001 MONTGOMERY, AL 36132-0001	ALABAMA DEPT OF REVENUE LEGAL DIVISION P. O. BOX 320001 MONTGOMERY, AL 36132-0001	INCOME TAXES		3,949.60
ARMSTRONG ELECTRIC COMPANY, INC. 4920 CHANEY STREET PENSACOLA, FL 32503	ARMSTRONG ELECTRIC COMPANY, INC. 4920 CHANEY STREET PENSACOLA, FL 32503	ON ACCOUNT FOR ELECTRICAL REPAIRS		20,013.46
CAPITAL CROSSING 99 HIGH STREET BOSTON, MA 02110	CAPITAL CROSSING 99 HIGH STREET BOSTON, MA 02110	WAREHOUSE LOCATED AT 1232 PAULA CIRCLE, GULF BREEZE, FLORIDA		29,000,000.00 (522,000.00 secured)
JOSHUA DOWNING 5400 HIGHWAY 90 MILTON, FL 32571	JOSHUA DOWNING 5400 HIGHWAY 90 MILTON, FL 32571	RESIDENTIAL LEASE	Contingent Unliquidated	1.00
KIRK & KIMBERLEY STANFORD 4782 GREGG AVENUE MILTON, FL 32571	KIRK & KIMBERLEY STANFORD 4782 GREGG AVENUE MILTON, FL 32571	RESIDENTIAL LEASE	Contingent Unliquidated	1.00
MITCHELL SALVA 4941 HICKORY SHORES BLVD GULF BREEZE, FL 32563	MITCHELL SALVA 4941 HICKORY SHORES BLVD GULF BREEZE, FL 32563	EXPENSE ADVANCED		210.00
MMI MECHANICAL CONTRACTORS, INC. 2904 W SPENCERFIELD RD PACE, FL 32571	MMI MECHANICAL CONTRACTORS, INC. 2904 W SPENCERFIELD RD PACE, FL 32571	ON ACCOUNT FOR MECHANICAL REPAIRS		5,126.70
PAUL & JESSICA BURKE 4774 GREGG AVENUE MILTON, FL 32571	PAUL & JESSICA BURKE 4774 GREGG AVENUE MILTON, FL 32571	RESIDENTIAL LEASE	Contingent Unliquidated	1.00
SALTMARSH, CLEAVELAND & GUND 900 NORTH 12TH AVENUE PENSACOLA, FL 32501	SALTMARSH, CLEAVELAND & GUND 900 NORTH 12TH AVENUE PENSACOLA, FL 32501	ACCOUNTING SERVICES		33,331.65

B4 (Offic	rial Form 4) (12/07) - Cont.			
In re	MO'TREES, LLC		Case No.	
		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]
SANTA ROSA TAX COLLECTOR 6495 CAROLINE STREET STE E MILTON, FL 32570	SANTA ROSA TAX COLLECTOR 6495 CAROLINE STREET STE E MILTON, FL 32570	2013 AD VALOREM TAXES		18,274.18

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

I, the MANAGING MEMBER of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date May 6, 2014	Signature	/s/ JAMES C. MOULTON
		JAMES C. MOULTON
		MANAGING MEMBER

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

### **United States Bankruptcy Court** Northern District of Florida

Case No.

	Debtor		
		Chapter_	11
LIST OF	<b>EQUITY SECURITY</b>	HOLDERS	
Following is the list of the Debtor's equity security he	olders which is prepared in accord	dance with Rule 1007(a	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
JAMES C. & MARTHA MILES MOULTON		50%	MEMBERSHIP INTEREST
ROBERT W. MOULTON		50%	MEMBERSHIP INTEREST
DECLARATION UNDER PENALTY O	F PERJURY ON BEHAL	F OF CORPORA	ΓΙΟΝ OR PARTNERSHIP
I, the MANAGING MEMBER of the have read the foregoing List of Equity Sec			
Date May 6, 2014		s/ JAMES C. MOULT	ON
	J.	AMES C. MOULTON	

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.

**MANAGING MEMBER** 

**MO'TREES, LLC** 

In re

## **United States Bankruptcy Court** Northern District of Florida

In re	MO'TREES, LLC		Case No.			
		Debtor(s)	Chapter	11		
	VERIFICAT	ION OF CREDITOR MA	TRIX			
I, the M	MANAGING MEMBER of the corporation nar	ned as the debtor in this case, hereby ve	erify that the	e attached list of creditors is		
true and correct to the best of my knowledge.						
Date:	May 6, 2014	/s/ JAMES C. MOULTON				
		JAMES C. MOULTON/MANAGING N Signer/Title	MEMBER			
		-				

MO'TREES, LLC Case 14-30496-WASER DOCAL MEHECA 05/06/14 Page 40 Not 15 TONE SUMBLIN, ESO 380 LURTON STREET ESPY, METCALF & ESPY, P.C. STONE SUMBLIN LAW, LLC PENSACOLA FL 32505

P.O. DRAWER 6504
DOTHAN, AL 36302-6504 CAPITAL CROSSING FARM CREDIT MAHLON H. BARLOW, ESQ
99 HIGH STREET OF NORTHWEST FLORIDA SIVYER BARLOW & WATSON
BOSTON MA 02110 P.O. BOX 7000 401 EAST JACKSON STREET
MARIANNA FL 32447-7000 STE 2225 TAMPA FL 33602 SECRETARY OF TREASURY
U.S. ATTORNEY'S OFFICE
15TH AVENUE PENNSYLVANIA NW
21 EAST GARDENT STREET
111 NORTH ADAMS STREET
112 COUNTHOUSE STE 400 4TH FL, US COURTHOUSE PENSACOLA FL 32502 TALLAHASSEE FL 32301 WASHINGTON DC 20220 STE 400 U.S. DEPT OF JUSTICE
P.O. BOX 14198
WASHINGTON DC 20044

U.S. SECURITIES & EXCHANGE
ATLANTA REGIONAL OFFICE
3475 LENOX ROAD, NE
STE 128
TALLAHASSEE FL 32301 ATLANTA GA 30326 ALABAMA DEPT OF REVENUE SANTA ROSA TAX COLLECTOR ARMSTRONG ELECTRIC LEGAL DIVISION 6495 CAROLINE STREET COMPANY, INC.
P. O. BOX 320001 STE E 4920 CHANEY STREET
MONTGOMERY AL 36132-0001 MILTON FL 32570 PENSACOLA FL 32503 PENSACOLA FL 32503 JOSHUA DOWNING KIRK & KIMBERLEY STANFORD MITCHELL SALVA 5400 HIGHWAY 90 4782 GREGG AVENUE 4941 HICKORY SHO MILTON FL 32571 GULF BREEZE FL 4941 HICKORY SHORES BLVD GULF BREEZE FL 32563

MMI MECHANICAL MOULTON PROPERTIES, INC. PAUL & JESSICA BURKE CONTRACTORS, INC. P.O. BOX 12524 4774 GREGG AVENUE PENSACOLA FL 32591 MILTON FL 32571 PACE FL 32571

SALTMARSH, CLEAVELAND & GUND 900 NORTH 12TH AVENUE PENSACOLA FL 32501

FLNB Local Form 2

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF FLORIDA PENSACOLA DIVISION

In re:	Case No.: 14	
MO'TREE	S, LLC Chapter: 11	
Debtor(s	)	
	CORPORATE OWNERSHIP STATEMENT	
Pursuant	to Bankruptcy Rule 1007(a) or Bankruptcy Rule 7007.1, MO'TREES, LLC	_
	,	9
Σ	☑ Corporate Debtor	
	Party to an adversary proceeding	
	Party to a contested matter	
	Member of committee of creditors	
	e following disclosure(s):	
A	all corporations, other than a governmental unit, that directly or indirectly own ten percent	
(:	10%) or more of any class of the corporation's equity interests, are listed below:	
	·	
<u> </u>		
OR		
	There are no entities that directly or indirectly own ten percent (10%) or more of any	
C	class of the corporation's equity interest.	11 M/
	SI ALL PRI JAMES C. MOULTON	1 Mf
Date	MANAGING MEMBER	— <i>/</i>
Dute	306 LURTON STREET	
	PENSACOLA, FL 32505	