Case 10-34102-LMI Doc 1 Filed 08/16/10 Page 1 of 10

R1 (Offic	ial F	orm	1)(4	/10)

B1 (Official Form 1)(4/10) United S Sou	States Bankr thern District (ruptcy C of Florida	ourt				Voluntar	y Petition
Name of Debtor (if individual, enter Last, First, Boggess, Inc.	Middle):		Name	of Joint De	ebtor (Spouse	e) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):							
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)				Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)				
20-3078317 Street Address of Debtor (No. and Street, City, a 24852 S.W. 177 Avenue Homestead, FL	Street	Street Address of Joint Debtor (No. and Street, City, and State): ZIP Code						
County of Residence or of the Principal Place of		33031	Count	y of Reside	ence or of the	Principal Pla	ice of Business:	
Miami-Dade				•				
Mailing Address of Debtor (if different from stre	eet address):	ZIP Code	Mailir	ng Address	of Joint Debt	tor (if differen	nt from street address): ZIP Code
	24852 S.W		1					
Location of Principal Assets of Business Debtor (if different from street address above):	Homestead							
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	Nature of Business (Check one box) Health Care Business Single Asset Real Estate as define in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank		efined	□ Chapt □ Chapt ■ Chapt □ Chapt □ Chapt	the 1 eer 7 eer 9 eer 11 eer 12	Petition is Fi	tcy Code Under Wh led (Check one box) hapter 15 Petition for a Foreign Main Proc hapter 15 Petition for a Foreign Nonmain I	Recognition eeding Recognition
☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Other Tax-Exer	of the United S	licable) torganization United States		Nature of Debts (Check one box) □ Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as ■ Debts are primarily business debts. "incurred by an individual primarily for a personal, family, or household purpose." ■			
Filing Fee (Check one box	.)	Check on			-	oter 11 Debto		
 Full Filing Fee attached Filing Fee to be paid in installments (applicable to attach signed application for the court's considerati debtor is unable to pay fee except in installments. I Form 3A. Filing Fee waiver requested (applicable to chapter attach signed application for the court's consideration for the court's consideration) 	otor is not otor's aggi less than applicable lan is bein eptances	a small busin regate nonco \$2,343,300 (e boxes: ng filed with of the plan w	ntingent liquid amount subject this petition.	defined in 11 U ated debts (exc t to adjustment repetition from	 J. S 101(S1D). J.S.C. § 101(51D). luding debts owed to in: on 4/01/13 and every the one or more classes of a 	ree years thereafter).		
Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY								
1- 50- 100- 200-	1,000- 5,001- 5,000 10,000] 5,001- 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	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	to \$100 to] 00,000,001 \$500 illion	500,000,001 to \$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	to \$100 to		\$500,000,001 to \$1 billion				

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B1 (Official Fo Voluntar	y Petition	Name of Debtor(s):	Page 2
	•	Boggess, Inc.	
(This page mi	ust be completed and filed in every case)	t 9 Vacua (If more than two	attach additional shart)
Location	All Prior Bankruptcy Cases Filed Within Las	Case Number:	Date Filed:
Where Filed:	- None -	Cuse Humber.	
Location Where Filed:		Case Number:	Date Filed:
	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If	
Name of Deb - None -	tor:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A	(To be completed if debtor is a	Exhibit B n individual whose debts are primarily consumer debts.)
forms 10K a pursuant to 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 esting relief under chapter 11.)	I, the attorney for the petition have informed the petitione 12, or 13 of title 11, United under each such chapter. I 1 required by 11 U.S.C. §342	oner named in the foregoing petition, declare that I r that [he or she] may proceed under chapter 7, 11, States Code, and have explained the relief available further certify that I delivered to the debtor the notice
Exhibit	A is attached and made a part of this petition.	X Signature of Attorney for	r Debtor(s) (Date)
	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.		identifiable harm to public health or safety?
☐ Exhibit If this is a jo	pleted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.	
	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	al place of business, or princ	
	There is a bankruptcy case concerning debtor's affiliate, g	0	
	Debtor is a debtor in a foreign proceeding and has its print this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	s in the United States but is a	a defendant in an action or
	Certification by a Debtor Who Reside (Check all app		al Property
	Landlord has a judgment against the debtor for possession		x checked, complete the following.)
	(Name of landlord 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.		-

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

1 (Official Form 1)(4/10)	Page 3			
Vo	oluntary Petition	Name of Debtor(s): Boggess, Inc.			
Th	is page must be completed and filed in every case)				
	Sign	atures			
	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. [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.	 I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached. Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. 			
X	Signature of Debtor	X			
	Signature of Debior				
X	Signature of Joint Debtor	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			
X	Ising Lynn H. Gelman, Esq. Signature of Attorney for Debtor(s) Lynn H. Gelman, Esq. 0245011 Printed Name of Attorney for Debtor(s)	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.			
	Lynn H. Gelman, P.A.	Printed Name and title, if any, of Bankruptcy Petition Preparer			
	Firm Name 1450 Madruga Avenue				
	Suite 408 Coral Gables, FL 33146 Address	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.)			
	<u>(305) 668-6681 Fax: (305) 668-6682</u> Telephone Number August 16, 2010				
	Date	Address			
	*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.	X			
	Signature of Debtor (Corporation/Partnership)	Date			
	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.	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:			
\mathbf{v}	/s/ Clayton Boggess				
Λ	Signature of Authorized Individual				
	Clayton Boggess	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.			
	Vice President	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 fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.			
	August 16, 2010	jutes of imprisonment of both 11 0.5.C. §110, 16 0.5.C. §150.			
	Date				

United States Bankruptcy Court Southern District of Florida

ggess, Inc.		Case No.	
De	btor ,	Chapter_	11
Exhibit "A" to Vol	luntary Peti	tion	
If any of debtor's securities are registered under Section SEC file number is		-	e Act of 1934, the
The following financial data is the latest available infor N/A .	mation and refe	rs to debtor's co	ondition on
a. Total assets	\$	0.00	
b. Total debts (including debts listed in 2.c.,below)	\$	0.00	Approximate
			number of
c. Debt securities held by more than 500 holders.			holders
c. Debt securities held by more than 500 holders. secured / / unsecured / / subordinated /	/ / \$	0.00	0_
secured / / unsecured / / subordinated / secured / / unsecured / / subordinated /		0.00	0
secured / / unsecured / / subordinated / secured / / unsecured / / subordinated /	/ / \$ / / \$	<u>0.00</u> 0.00	0
secured / / unsecured / / subordinated / secured / / unsecured / / subordinated / secured / / unsecured / / subordinated /	/ / \$ / / \$ / / \$	0.00 0.00 0.00	0000000
secured / / unsecured / / subordinated / secured / / unsecured / / subordinated / secured / / unsecured / / subordinated / secured / / unsecured / / subordinated /	/ / \$ / / \$ / / \$	0.00 0.00 0.00	0 0 0 0

3. Brief description of debtor's business:

•

In re

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

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Southern District of Florida

In re Boggess, Inc.

Debtor(s)

Case No. Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [*or* chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
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]
Accord Industries 4001 Forsyth Road Winter Park, FL 32792	Accord Industries 4001 Forsyth Road Winter Park, FL 32792			13,066.39
Alan Gold, P.A. 1501 Sunset Drive 2nd Floor Coral Gables, FL 33143	Alan Gold, P.A. 1501 Sunset Drive 2nd Floor Coral Gables, FL 33143	Attorneys fees		19,653.15
Bank Atlantic Business Capital P.O. Box 9148 Fort Lauderdale, FL 33310-9148	Bank Atlantic Business Capital P.O. Box 9148 Fort Lauderdale, FL 33310-9148			7,455.82
Cit Small Business Lending P.O. Box 277280 Atlanta, GA 30384-7280	Cit Small Business Lending P.O. Box 277280 Atlanta, GA 30384-7280			394,671.30
Discover Business Card P.O. Box 71084 Charlotte, NC 28272-1084	Discover Business Card P.O. Box 71084 Charlotte, NC 28272-1084			10,248.30
Dyna-Gro Nutrition Solutions 2775 Giant Road San Pablo, CA 94806	Dyna-Gro Nutrition Solutions 2775 Giant Road San Pablo, CA 94806			2,924.91
Eastern Irrigation Supply, Inc. P.O. Box 1089 Newberry, FL 32669	Eastern Irrigation Supply, Inc. P.O. Box 1089 Newberry, FL 32669			3,127.67
Florikan 1579 Barber Road Sarasota, FL 34240	Florikan 1579 Barber Road Sarasota, FL 34240			5,280.00
HD Supply Waterworks 10810 N.W. 92 Terrace Suite 107 Miami, FL 33178	HD Supply Waterworks 10810 N.W. 92 Terrace Suite 107 Miami, FL 33178			22,178.88
HydroFarm 11800 N.W. 102 Road Suite 1 Miami, FL 33178	HydroFarm 11800 N.W. 102 Road Suite 1 Miami, FL 33178			5,817.24

B4 (Official Form 4) (12/07) - Cont. In re Boggess, Inc.

Debtor(s)

Case No.

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]
I P S Corporation 455 West Victoria St.	I P S Corporation 455 West Victoria St.			8,769.50
Compton, CA 90220	Compton, CA 90220			
J.B. Plaastics, Inc. 6500 N.W. 15 Way Fort Lauderdale, FL 33309	J.B. Plaastics, Inc. 6500 N.W. 15 Way Fort Lauderdale, FL 33309			2,924.09
J.C. Whitlam Manufacturing Co. P.O. Box 380	J.C. Whitlam Manufacturing Co. P.O. Box 380 Wadsworth, OH 44282			5,669.34
Wadsworth, OH 44282 Jain Irrigation, Inc. Dept. 9272 Los Angeles, CA 90084-9272	Jain Irrigation, Inc. Dept. 9272 Los Angeles, CA 90084-9272			2,350.58
L.R. Nelson Corporation 509 East High Point Road Peoria, IL 61614	L.R. Nelson Corporation 509 East High Point Road Peoria, IL 61614			9,350.00
Miami-Dade Wholesale Growers Assoc. 18710 S.W. 288 Street Homestead, FL 33030	Miami-Dade Wholesale Growers Assoc. 18710 S.W. 288 Street Homestead, FL 33030			2,750.00
Point Source Irrigation, Inc. 2550 S. East Avenue Suite 120 Fresno, CA 93706	Point Source Irrigation, Inc. 2550 S. East Avenue Suite 120 Fresno, CA 93706			22,675.59
SMG, Inc. 23201 Normandie Avenue Torrance, CA 90501	SMG, Inc. 23201 Normandie Avenue Torrance, CA 90501			4,635.00
Spears Manufactaring Co. P.O. Box 54988 Los Angeles, CA 90054-0900	Spears Manufactaring Co. P.O. Box 54988 Los Angeles, CA 90054-0900			18,057.08
Travelers 10301 S. Dixie Hwy Suite 300 Miami, FL 33156	Travelers 10301 S. Dixie Hwy Suite 300 Miami, FL 33156			6,925.38

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

I, the Vice President 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 August 16, 2010

Signature /s/ Clayton Boggess

Clayton Boggess

Vice President

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. Accord Industries 4001 Forsyth Road Winter Park, FL 32792

Alan Gold, P.A. 1501 Sunset Drive 2nd Floor Coral Gables, FL 33143

American Express Blue P.O. Box 360002 Fort Lauderdale, FL 33336-0002

American Granby Inc. 7652 Morgan Road Liverpool, NY 13090-3433

At&T Advertising P.O. Box 105024 Atlanta, GA 30348-5024

Automatic Sprinkler Controls 5914 Noble Avenue Van Nuys, CA 91411

Bank Atlantic Business Capital P.O. Box 9148 Fort Lauderdale, FL 33310-9148

Barnett, Inc. P.O. Box 404295 Atlanta, GA 30384

Bill Hunt Company 14400 S.W. 149 Terrace Miami, FL 33186-5939

Cit Small Business Lending P.O. Box 277280 Atlanta, GA 30384-7280

Dade County Nursery Report 18710 S.W. 288 Street #38 Homestead, FL 33030 De Ruiter Electric Motor Co. 14261 South Dixie Highway Miami, FL 33176

Discover Business Card P.O. Box 71084 Charlotte, NC 28272-1084

Dyna-Gro Nutrition Solutions 2775 Giant Road San Pablo, CA 94806

Eastern Irrigation Supply, Inc. P.O. Box 1089 Newberry, FL 32669

Florikan 1579 Barber Road Sarasota, FL 34240

Grove Services, Inc. P.O. Box 1310 Homestead, FL 33090

HD Supply Waterworks 10810 N.W. 92 Terrace Suite 107 Miami, FL 33178

Homestead Mower Center, Inc. 1000 North Flagler Avenue Homestead, FL 33030

Hydraulie Sales 7 Services, Inc. 3700 N.W. South River Drive Miami, FL 33142

HydroFarm 11800 N.W. 102 Road Suite 1 Miami, FL 33178

I P S Corporation 455 West Victoria St. Compton, CA 90220 J.B. Plaastics, Inc. 6500 N.W. 15 Way Fort Lauderdale, FL 33309

J.C. Whitlam Manufacturing Co. P.O. Box 380 Wadsworth, OH 44282

Jain Irrigation, Inc. Dept. 9272 Los Angeles, CA 90084-9272

K-Rain Manufacturing Corp. P.O. Box 102947 Atlanta, GA 30368-2947

L.R. Nelson Corporation 509 East High Point Road Peoria, IL 61614

Lowe's Business Account P.O. Box 530970 Atlanta, GA 30353

Miami-Dade Wholesale Growers Assoc. 18710 S.W. 288 Street Homestead, FL 33030

Mitchell Hardware Co., Inc. P.O. Box Drawer 900490 Homestead, FL 33090-0490

N P K, Inc. P.O. Box 901387 Homestead, FL 33090

Point Source Irrigation, Inc. 2550 S. East Avenue Suite 120 Fresno, CA 93706

Premium Soft 2951 S.E. Dominica Terr. Stuart, FL 34997

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Princeton Machine Shop P.O. Box 924459 Homestead, FL 33092

Pro Products, LLC P.O. Box 12667 Fort Wayne, IN 46864-2667

Progressive P.O. Box 30108 Tampa, FL 33630-3108

Protek Specialty Company P.O. Box 478 Bellaire, TX 77402-0446

Senniger Irrigation, Icn. 16220 E. Highway 50 Clermont, FL 34711

SMG, Inc. 23201 Normandie Avenue Torrance, CA 90501

Southern Electric Telephone 28715 S.W. 132 Avenue Suite 122 Homestead, FL 33033

Spears Manufactaring Co. P.O. Box 54988 Los Angeles, CA 90054-0900

Sure-Loc Corp. 494 E. 64th St. Holland, MI 49423

Travelers 10301 S. Dixie Hwy Suite 300 Miami, FL 33156

Watis Ames Co A Division of Watts P.O. Box 60601 Charlotte, NC 28260