

B1 (Official Form 1) (4/10)

| United States Bankruptcy Court Southern District of Florida | | | | Voluntary Petition | |
|---|--|---|---|---|----------------------------------|
| Name of Debtor (if individual, enter Last, First, Middle): Dutch Run-Mays Draft, LLC | | | Name of Joint Debtor (Spouse) (Last, First, Middle): | | |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): | | | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): | | |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): 34-2025744 | | | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): | | |
| Street Address of Debtor (No. & Street, City, and State): 1280 West Newport Center Drive Deerfield Beach, FL 33442 | | | Street Address of Joint Debtor (No. & Street, City, and State): | | |
| ZIP CODE 33442-0000 | | | ZIP CODE | | |
| County of Residence or of the Principal Place of Business: Broward | | | County of Residence or of the Principal Place of Business: | | |
| Mailing Address of Debtor (if different from street address): | | | Mailing Address of Joint Debtor (if different from street address): | | |
| ZIP CODE | | | ZIP CODE | | |
| Location of Principal Assets of Business Debtor (if different from street address above): 5,000 Acres adjacent to Greenbrier Hotel in Greenbrier, West Virginia Parcel ID No.: 16 5001100000000 White Sulphur Spring, WV 24986 | | | | | |
| Type of Debtor (Form of Organization) (Check one box.) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) | | Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input checked="" type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other <hr/> Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). | | Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts. | |
| Filing Fee (Check one box.) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. | | | Check one box: Chapter 11 Debtors <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). <hr/> Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). | | |
| Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. | | | | | THIS SPACE IS FOR COURT USE ONLY |
| Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000 | | | | | |
| Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion | | | | | |
| Estimated Debts <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion | | | | | |

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|--|---------------|--|--|
| Voluntary Petition <i>(This page must be completed and filed in every case)</i> | | Name of Debtor(s): Dutch Run-Mays Draft, LLC | |
| All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) | | | |
| Location Where Filed: - None - | Case Number: | Date Filed: | |
| Location Where Filed: | Case Number: | Date Filed: | |
| Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.) | | | |
| Name of Debtor: - None - | Case Number: | Date Filed: | |
| District: | Relationship: | Judge: | |
| Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition. | | Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b). X _____ Signature of Attorney for Debtor(s) (Date) | |
| Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> 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.) <input checked="" type="checkbox"/> 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. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> 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.) <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) <div style="margin-left: 40px;"> _____ (Name of landlord that obtained judgment) _____ (Address of landlord) </div> <input type="checkbox"/> 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 <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)). | | | |

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| Voluntary Petition <i>(This page must be completed and filed in every case)</i> | Name of Debtor(s): Dutch Run-Mays Draft, LLC |
| Signatures | |
| <p style="text-align: center;">Signature(s) of Debtor(s) (Individual/Joint)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (If not represented by attorney)</p> <p>_____ Date</p> | <p style="text-align: center;">Signature of a Foreign Representative</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed Name of Foreign Representative)</p> <p>_____ Date</p> |
| <p style="text-align: center;">Signature of Attorney*</p> <p>X /s/ Chad P. Pugatch, Esq. FL Bar No. 220582</p> <p>_____ Signature of Attorney for Debtor(s) Chad P. Pugatch, Esq. FL Bar No. 220582</p> <p>_____ Printed Name of Attorney for Debtor(s) Rice Pugatch Robinson & Schiller, P.A.</p> <p>_____ Firm Name 101 NE Third Avenue Suite 1800 Ft. Lauderdale, FL 33301</p> <p>_____ Address Email: cpugatch@rprslaw.com</p> <p>_____ 954-462-8000 Fax: 954-462-4300</p> <p>_____ Telephone Number September 30, 2011</p> <p>_____ Date</p> <p><small>*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p> | <p style="text-align: center;">Signature of Non-Attorney Bankruptcy Petition Preparer</p> <p>I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official form 19 is attached.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)</p> <p>_____ Address</p> <p>X _____ _____</p> <p>_____ Date</p> |
| <p style="text-align: center;">Signature of Debtor (Corporation/Partnership)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>Dutch Run-Mays Draft, LLC a West Virginia limited liability company</p> <p>By: Commerce Limited Partnership #9352 a Pennsylvania limited partnership, Managing Member By: Terra Equities, Inc. a Pennsylvania 'S' corporation, General Partner</p> <p>X /s/ William F. Ring, Jr.</p> <p>_____ Signature of Authorized Individual William F. Ring, Jr.</p> <p>_____ Printed Name of Authorized Individual Vice President / Terra Equities, Inc.</p> <p>_____ Title of Authorized Individual September 30, 2011</p> <p>_____ Date</p> | <p>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.</p> <p>Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><small>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.</small></p> |

B4 (Official Form 4) (12/07)

United States Bankruptcy Court
Southern District of Florida

In re Dutch Run-Mays Draft, LLC

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) <i>Name of creditor and complete mailing address including zip code</i> | (2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | (3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | (4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i> | (5) <i>Amount of claim [if secured, also state value of security]</i> |
|--|---|--|---|--|
| Allen Guthrie & Thomas, PLLC P.O. Box 3394 Charleston, WV 25333 | Allen Guthrie & Thomas, PLLC P.O. Box 3394 Charleston, WV 25333 | Legal Services Rendered | | 2,570.72 |
| Greenbrier County Sheriff 200 Court Street North Lewisburg, WV 24901 | Greenbrier County Sheriff 200 Court Street North Lewisburg, WV 24901 | Real Estate Taxes | | 6,293.08 |
| Martin O'Boyle 1280 West Newport Center Drive Deerfield Beach, FL 33442 | Martin O'Boyle 1280 West Newport Center Drive Deerfield Beach, FL 33442 | | | Unknown |
| Spilman Thomas & Battle, PLLC 300 Kanawha Boulevard, East Charleston, WV 25301 | Spilman Thomas & Battle, PLLC 300 Kanawha Boulevard, East Charleston, WV 25301 | Legal Services Rendered | | 14,455.31 |
| Wilentz, Goldman & Spitzer, PA Two Penn Center Plaza Suite 910 Philadelphia, PA 19102 | Wilentz, Goldman & Spitzer, PA Two Penn Center Plaza Suite 910 Philadelphia, PA 19102 | Legal Services Rendered | | 54,208.15 |
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B4 (Official Form 4) (12/07) - Cont.

In re **Dutch Run-Mays Draft, LLC**

Case No. _____

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

| (1) | (2) | (3) | (4) | (5) |
|---|--|---|--|---|
| <i>Name of creditor and complete mailing address including zip code</i> | <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i> | <i>Amount of claim [if secured, also state value of security]</i> |
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**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Vice President Terra Equities, Inc. 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 **September 30, 2011**Signature **/s/ William F. Ring, Jr.****William F. Ring, Jr.****Vice President Terra Equities, Inc.**

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.

Allen Guthrie & Thomas, PLLC
P.O. Box 3394
Charleston, WV 25333

BB&T
PO Box 580050
Charlotte, NC 28258

Broward County Records, Taxes & Treasury
c/o Hollie N. Hawn
115 So. Andrews Ave
Fort Lauderdale, FL 33301-1818

Ellen S. Cappellanti, Esq.
Jackson Kelly
500 Lee Street East, Suite 1600
Charleston, WV 25322

Greenbrier County Sheriff
200 Court Street North
Lewisburg, WV 24901

Internal Revenue Service
Chief, Special Procedures Staff
425 Juliana Street, Room 2202
Parkersburg, WV 26101

Internal Revenue Service
PO Box 7317
Philadelphia, PA 19101-7317

Internal Revenue Service
Compliance Services Insolvency
STOP 5730
7850 Southwest 6th Court
Plantation, FL 33324

James W. Childers Sheriff's Tax Office
200 North Court Street
PO Box 347
Lewisburg, WV 24901

Martin O'Boyle
1280 West Newport Center Drive
Deerfield Beach, FL 33442

Spilman Thomas & Battle, PLLC
300 Kanawha Boulevard, East
Charleston, WV 25301

State of Florida Dept. of Revnue
Bankruptcy Section
PO Box 6668
Tallahassee, FL 32314-6668

West Virginia StateDept. of Tax &Revenue
PO Box 766
Charleston, WV 25323-0766

Wilentz, Goldman & Spitzer, PA
Two Penn Center Plaza
Suite 910
Philadelphia, PA 19102

UNITED STATES BANKRUPTCY COURT

Southern District of Florida

www.flsb.uscourts.govIn Re:
Dutch Run-Mays Draft, LLCCase Number
Chapter 11

Debtor(s) /

DECLARATION UNDER PENALTY OF PERJURY TO ACCOMPANY PETITIONS, SCHEDULES AND STATEMENTS FILED ELECTRONICALLY

Note: This declaration must be filed with each electronically filed initial petition or amended petition and must contain the imaged signature of the debtor. This declaration must also be filed with an initial schedule, SFA, Statement of Social Security Number, or Statement of Current Monthly Income (OBF 22) not filed with the initial petition or any amended schedules, SFA, Statement of Social Security Number, and/or Statement of Current Monthly Income (OBF 22) unless these documents contain an imaged signature of the debtor(s).

Check all documents that apply to this declaration

| | |
|--|---|
| <input checked="" type="checkbox"/> Voluntary petition signed by me on <u>September 30, 2011</u> | <input type="checkbox"/> Amended voluntary petition signed by me on _____ |
| <input type="checkbox"/> Schedules signed by me on _____ | <input type="checkbox"/> Amended schedules signed by me on _____ |
| <input type="checkbox"/> Statement of Financial Affairs signed by me on _____ | <input type="checkbox"/> Amended Statement of Financial Affairs signed by me on _____ |
| <input type="checkbox"/> Statement of Social Security Number(s) signed by me on _____ | <input type="checkbox"/> Amended Statement of Social Security Number(s) signed by me on _____ |
| <input type="checkbox"/> Statement of Current Monthly Income (OBF 22) signed by me on _____ | <input type="checkbox"/> Amended Statement of Current Monthly Income (OBF 22) signed by me on _____ |

I, William F. Ring, Jr., the undersigned debtor(s) hereby declare under penalty of perjury as follows:

- I have reviewed and signed the original(s) of the document(s) identified above and the information contained in the Verified Document(s) is true and correct to the best of my knowledge and belief.
- I understand that Verified Document(s) filed in electronic form shall be treated for all purposes (both civil and criminal, including penalties of perjury) in the same manner as though signed or subscribed.
- I understand that the Verified Document(s) will be filed by my attorney in electronic form in connection with the above captioned case and that I have received and reviewed copies of the Verified Document(s) I have signed.
- I understand that my attorney is required by the court to retain the original signed Verified Document(s) for five years from date of discharge, dismissal or the conclusion of any pending appeals in this case and provide these documents to the court upon request at any time.

Dutch Run-Mays Draft, LLC a West Virginia limited liability company

By: Commerce Limited Partnership #9352 a Pennsylvania limited partnership, Managing Member

By: Terra Equities, Inc. a Pennsylvania 'S' corporation, General Partner

Signature of Debtor
(If non individual, authorized corporate representative)William F. Ring, Jr., Vice President Terra Equities, Inc.
Print or Type Name (and title if applicable)Chad P. Pugatch, Esq. FL Bar No. 220582
Print or Type Name of Attorney for Debtor

Signature of Joint Debtor (if applicable)

Print Name

954-462-8000
Phone:

WFR