B 1 (Official Formste (1/0862023 Doc	1 Filed 01/25/1	0 Entered	<u>d 01/25/10 1</u>	<u>7:59:42</u>	Desc Main	
United States Bankruntcy/Conft Page 1 of 5 Northern District of Georgia ATLANTA Voluntary Petition						
Name of Debtor (if individual, enter Last, First, Middle): Carter's Day Care, Inc.		Name of Joint D	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 Name (include married	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 Indvidual-Taxpayer I.D. (IT more than one, state all): <b>58-2034877</b>		Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all):				
Street Address of Debtor (No. & Street, City, and State): 3482 Flatshoals Road Decatur, GA		Street Address of	of Joint Debtor (No. &	: Street, City, and St	tate):	
ZI County of Residence or of the Principal Place of Busines	P CODE <b>30034</b>	County of Resid	ence or of the Princip	oal Place of Busines	ZIP CODE s:	
Dekalb Mailing Address of Debtor (if different from street address	se).	Mailing Address	Mailing Address of Line Dates (6 196 and from double address)			
_	P CODE	Walling / Kdules.	Mailing Address of Joint Debtor (if different from street address):			
Location of Principal Assets of Business Debtor (if differen					ZIP CODE	
3482 Flatshoals Road Decatur, GA					ZIP CODE <b>30034</b>	
Type of Debtor	Nature of B	usiness	-		Code Under Which	
<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>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul> Filing Fee (Check one box Filing Fee to be paid in installments (applicable to in signed application for the court's consideration certify unable to pay fee except in installments. Rule 1006(b) Filing Fee waiver requested (applicable to chapter 7 attach signed application for the court's consideration	dividuals only). Must attach ying that the debtor is See Official Form 3A. individuals only). Must	Entity pplicable) pt organization United States evenue Code.) Check one ☑ Debtor ☐ Debtor Check if: ☑ Debtor Check ali a ☐ A plan	<ul> <li>Chapter 7</li> <li>Chapter 9</li> <li>Chapter 9</li> <li>Chapter 11</li> <li>Chapter 12</li> <li>Chapter 13</li> <li>Debts are prindebts, defined § 101(8) as "individual pripersonal, fam hold purpose.</li> <li>box:</li> <li>is a small business defise to a small business defise to a small business defise to a small busines box:</li> </ul>	Nature of (Check one marily consumer d in 11 U.S.C. incurred by an imarily for a uily, or house- " Chapter 11 Debto ebtor as defined in 1 ss debtor as defined in 1 ss debtor as defined is ngent liquidated deb s than \$2,190,000.	Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding <b>Debts</b> e box) ✓ Debts are primarily business debts.	
<ul> <li>Statistical/Administrative Information</li> <li>☑ Debtor estimates that funds will be available for dist.</li> <li>□ Debtor estimates that, after any exempt property is exercises paid, there will be no funds available for distribution.</li> </ul>	xcluded and administrative	S.	itors, in accordance v		THIS SPACE IS FOR COURT USE ONLY	
Estimated Number of Creditors						
1- 50- 100- 200- 1,000- 49 99 199 999 5,000	· · · · · · · · · · · · · · · · · · ·	5,001- 50,001- 0,000 100,000	Over 100,000			
Estimated Assets \$0 to \$50,001 to \$100,001 to \$500,001 to \$1,0 \$50,000 \$100,000 \$500,000 \$1 to \$1,0 Estimated Liabilities	0 to \$50 to \$10		01 \$500,000,001	More than \$1 billion		
Stimated Endinities         Image: Constraint of the state of th	0 to \$50 to \$10	0 to \$500	<sup>01</sup> \$500,000,001	More than \$1 billion		

8 1 (Official Forms			Desc Maor B1, Pag		
Voluntary Petition Document (This page must be completed and filed in every case)		Name Bebrofs):5 Carter's Day Care, Inc.			
		ast 8 Years (If more than two, attach additional sheet.	)		
Location		Case Number:	Date Filed:		
Where Filed: NO	NE	Case Number:	Date Filed:		
Where Filed:					
Jame of Debtor:	Pending Bankruptcy Case Filed by any Spouse, Partner of	Case Number:	Date Filed:		
Carter's Daycare,	Inc. II		1/25/2010		
District: NDGA		Relationship: Affiliate	Judge:		
	Exhibit A	Exhibit B			
(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.)		(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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b).			
Exhibit A is attack	and made a part of this petition.	X Not Applicable			
		Signature of Attorney for Debtor(s)	Date		
	Ex	hibit C			
	nave possession of any property that poses or is alleged to pose a c is attached and made a part of this petition.	threat of imminent and identifiable harm to public hea	lth or safety?		
	Ex	hibit D			
To be completed by eve	ery individual debtor. If a joint petition is filed, each spouse mus	st complete and attach a separate Exhibit D.)			
Exhibit D con	pleted and signed by the debtor is attached and made a part of	this petition.			
f this is a joint petition:					
Exhibit D also	completed and signed by the joint debtor is attached and made	a part of this petition.			
		rding the Debtor - Venue			
	(Check an	y applicable box)	1		
	ebtor has been domiciled or has had a residence, principal place eceding the date of this petition or for a longer part of such 180		Jays minediatery		
	There is a bankruptcy case concerning debtor's affiliate. general partner, or partnership pending in this District.				
ha	ebtor is a debtor in a foreign proceeding and has its principal pla is no principal place of business or assets in the United States bu is District, or the interests of the parties will be served in regard	t is a defendant in an action or proceeding [in a federal			
		<b>des as a Tenant of Residential Property</b> pplicable boxes.)			
	andlord has a judgment against the debtor for possession of debt	or's residence. (If box checked, complete the following	).		
		(Name of landlord that obtained judgment)			
		(Address of landlord)			
	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.				
111	ing of the petition.				

<b>B</b> 1 (	Official Formet (1/0862023 Doc 1 Filed 01/25/10	)	Entered 01/25/10 17:59:42 Desc MEORM B1, Page 3			
Voluntary Petition Document			Name of Bedio(\$).5			
(Th	is page must be completed and filed in every case)	Carter's Day Care, Inc.				
	Sign	ures				
	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			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 <b>one</b> box.)			
chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I			I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.			
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.			Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.			
x	Not Applicable	x	Not Applicable			
	Signature of Debtor		(Signature of Foreign Representative)			
v	Not Applicable					
л	Not Applicable Signature of Joint Debtor		(Printed Name of Foreign Representative)			
	Signature of Joint Deotor	(Printed Name of Foreign Representative)				
	Telephone Number (If not represented by attorney)					
			Date			
	Date					
v	Signature of Attorney S/JOHN C. PENNINGTON		Signature of Non-Attorney Petition Preparer			
-	Signature of Attorney for Debtor(s)		eclare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined			
	JOHN C. PENNINGTON Bar No. 571400		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				
1	Printed Name of Attorney for Debtor(s) / Bar No.					
JOHN C. PENNINGTON, P.C.			fore preparing any document for filing for a debtor or accepting any fee from the debtor, required in that section. Official Form 19 is attached.			
	Firm Name					
]	P.O. BOX 275 HELEN, GA 30545					
	Address	Not Applicable				
_		Printed Name and title, if any, of Bankruptcy Petition Preparer				
(706) 878-0033 (706) 878-9916		Social-Security number (If the bankruptcy petition preparer is not an individual, state				
Telephone Number		the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)				
1/25/2010						
Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.			Address			
		х	Not Applicable			
T 1	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.			Date Signature of bankruptcy petition preparer or officer, principal, responsible person, or			
The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.			partner whose Social-Security number is provided above. Names and Social-Security numbers of all other individuals who prepared or assisted			
X s/ Vanessa A. Caldwell			in preparing this document unless the bankruptcy petition preparer is not an individual.			
Signature of Authorized Individual			If more than one person prepared this document, attach to the appropriate official form			
Vanessa A. Caldwell			for each person.			
Printed Name of Authorized Individual			A bankruptcy petition preparer's failure to comply with the provisions of title 11 and			
CEO			the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.			
Title of Authorized Individual						
1/25/2010						
Date						
-						

Case 10-62023 Doc 1 Filed 01/25/10 Entered 01/25/10 17:59:42 Desc Main Document Page 4 of 5 Case 10-62023 Doc 1 Filed 01/25/10 Entered 01/25/10 17:59:42 Desc Main Document Page 5 of 5

**United States Bankruptcy Court** 

## Northern District of Georgia ATLANTA

In re:

Case No.	
Chapter	11

Carter's Day Care, Inc.

## STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Vanessa A. Caldwell, declare under penalty of perjury that I am the CEO of Carter's Day Care, Inc., a Corporation and that on the following resolution was duly adopted by the of this Corporation:

"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 Vanessa A. Caldwell, CEO 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 Vanessa A. Caldwell, CEO 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 Vanessa A. Caldwell, CEO of this Corporation, is authorized and directed to employ JOHN C. PENNINGTON, attorney and the law firm of JOHN C. PENNINGTON, P.C. to represent the Corporation in such bankruptcy case."

Executed on: 1/25/2010

Signed: s/ Vanessa A. Caldwell Vanessa A. Caldwell