

**United States Bankruptcy Court  
Northern District of Georgia**

**Voluntary Petition**

|   |   |
|---|---|
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>Threewitt Enterprises, LLC</b>                                   | 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) No./Complete EIN(if more than one, state all): <b>26-1284965</b> | 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. & Street, City, and State):<br><b>670 Page Place<br/>Canton, GA</b>                                 | Street Address of Joint Debtor (No. & Street, City, and State):   |
| ZIP CODE <b>30114</b>   | ZIP CODE  |
| County of Residence or of the Principal Place of Business:<br><b>Cherokee County</b>  | County of Residence or of the Principal Place of Business:  |
| Mailing Address of Debtor (if different from street address):<br><b>PO Box 4367<br/>Canton, GA</b>                                | Mailing Address of Joint Debtor (if different from street address):   |
| ZIP CODE <b>30114</b>   | ZIP CODE  |
| Location of Principal Assets of Business Debtor (if different from street address above):   |   |
| ZIP CODE <b>30114</b>   |   |

|   |  |   |
|---|--|---|
| <b>Type of Debtor</b><br>(Form of Organization)<br>(Check one box.)<br><br><input type="checkbox"/> Individual (includes Joint Debtors)<br><i>See Exhibit D on page 2 of this form.</i><br><input checked="" type="checkbox"/> Corporation (includes LLC and LLP)<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)<br>_____ | <b>Nature of Business</b><br>(Check one box)<br><br><input type="checkbox"/> Health Care Business<br><input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B)<br><input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker<br><input type="checkbox"/> Clearing Bank<br><input checked="" type="checkbox"/> Other<br><br><hr/> <b>Tax-Exempt Entity</b><br>(Check box, if applicable)<br><br><input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code.) | <b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)<br><br><input type="checkbox"/> Chapter 7<br><input type="checkbox"/> Chapter 9<br><input checked="" type="checkbox"/> Chapter 11<br><input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Chapter 13<br><br><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding<br><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding<br><br><b>Nature of Debts</b><br>(Check one box)<br><br><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."<br><input checked="" type="checkbox"/> Debts are primarily business debts. |
|---|--|---|

|   |  |
|---|--|
| <b>Filing Fee</b> (Check one box)<br><br><input checked="" type="checkbox"/> Full Filing Fee attached<br><br><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.<br><br><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. | <b>Chapter 11 Debtors</b><br><br><b>Check one box:</b><br><input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).<br><input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).<br><br><b>Check if:</b><br><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.<br>-----<br><b>Check all applicable boxes</b><br><input type="checkbox"/> A plan is being filed with this petition<br><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). |
|---|--|

|   |   |
|---|---|
| <b>Statistical/Administrative Information</b><br><br><input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.<br><input checked="" 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.  | <b>THIS SPACE IS FOR COURT USE ONLY</b> |
| <b>Estimated Number of Creditors</b><br><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"/> 5,001-10,000 <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  |   |
| <b>Estimated Assets</b><br><input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input 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      |   |
| <b>Estimated Liabilities</b><br><input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input 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 |   |



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

Name of Debtor(s):  
**Threewitt Enterprises, LLC**

**Signatures**

**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.

**Not Applicable**

\_\_\_\_\_  
Signature of Debtor

**Not Applicable**

\_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
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 § 1515 of title 11 are attached.

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.

**Not Applicable**

\_\_\_\_\_  
(Signature of Foreign Representative)

\_\_\_\_\_  
(Printed Name of Foreign Representative)

\_\_\_\_\_  
Date

**Signature of Attorney**

**S/ B. Glen Johnson**

\_\_\_\_\_  
Signature of Attorney for Debtor(s)

**B. Glen Johnson Bar No. 392250**

\_\_\_\_\_  
Printed Name of Attorney for Debtor(s) / Bar No.

**Johnson & Dickinson, LLC**

\_\_\_\_\_  
Firm Name

**1925 Marietta Hwy Ste 201**

\_\_\_\_\_  
Address

**Canton, GA 30115**

**770-479-5566**

**770-479-5566**

\_\_\_\_\_  
Telephone Number

**1/31/2010**

\_\_\_\_\_  
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.

**Signature of Non-Attorney 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.

**Not Applicable**

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
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.)

\_\_\_\_\_  
Address

**Not Applicable**

\_\_\_\_\_  
Date

\_\_\_\_\_  
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 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.*

**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 the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**s/ Robbie F. Threewitt**

\_\_\_\_\_  
Signature of Authorized Individual

**Robbie F. Threewitt**

\_\_\_\_\_  
Printed Name of Authorized Individual

**CEO**

\_\_\_\_\_  
Title of Authorized Individual

**1/31/2010**

\_\_\_\_\_  
Date

**United States Bankruptcy Court**

**Northern District of Georgia**

In re:

Case No. \_\_\_\_\_

Chapter 11

**Threewitt Enterprises, LLC**

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

I, **Robbie F. Threewitt**, declare under penalty of perjury that I am the **CEO** of **Threewitt Enterprises, LLC**, a **Georgia** Corporation and that on **01/29/2010** the following resolution was duly adopted by the **Board of Directors** 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 **Robbie F. Threewitt**, **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 **Robbie F. Threewitt**, **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 **Robbie F. Threewitt**, **CEO** of this Corporation, is authorized and directed to employ **B. Glen Johnson**, attorney and the law firm of **Johnson & Dickinson, LLC** to represent the Corporation in such bankruptcy case."

Executed on: 1/31/2010

Signed: s/ Robbie F. Threewitt  
**Robbie F. Threewitt**

**United States Bankruptcy Court  
Northern District of Georgia**

In re Threwitt Enterprises, LLC, Case No. \_\_\_\_\_  
Debtor Chapter 11

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

| (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> |
| American Express<br>PO Box 297813<br>Ft. Lauderdale, FL 33329-9785                                 |  | Credit card debt  |   | <b>\$53,970.97</b>   |
| Ferguson Enterprises<br>11600 Wills Rd<br>Alpharetta, GA 30004-2032                                |  | Supplies  |   | <b>\$33,043.59</b>   |
| Mechanical Equipment Co.<br>PO Box 341<br>Lawrenceville, GA 30045                                  |  | Supplies  |   | <b>\$31,050.25</b>   |
| Ameris Bank<br>P.O. Box 3668<br>Moultrie, GA 31776-3664  |  | RP deficiency bal   |   | <b>\$30,000.00</b>   |
| HD Supply<br>3100 Cumberland Blvd SE Ste 1700<br>Atlanta, GA 30339-5939<br>Attn.: Accounts Payable |  | Supplies  |   | <b>\$2,125.86</b>  |
| Georgia Secretary of State<br>214 State Capitol<br>Atlanta, Georgia 30334                          |  |   |   | <b>\$50.00</b>   |

B4 (Official Form 4) (12/07)4 -Cont.

In re Threwitt Enterprises, LLC, Case No. \_\_\_\_\_  
Debtor Chapter 11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

| (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> |

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

I, Robbie F. Threwitt, CEO 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: 1/31/2010

Signature: s/ Robbie F. Threwitt

Robbie F. Threwitt ,CEO  
(Print Name and Title)

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.

US Attorney  
75 Spring St SW # 1800  
Atlanta, GA 30303-3331

American Express  
PO Box 297813  
Ft. Lauderdale, FL 33329-9785

Ameris Bank  
P.O. Box 3668  
Moultrie, GA 31776-3664

Attorney General of Georgia  
Georgia Department of Law  
40 Capitol Square, SW  
Atlanta, Ga 30334

Bank of Woodstock  
8770 Main Street  
Woodstock, GA 30188-4948

Ferguson Enterprises  
11600 Wills Rd  
Alpharetta, GA 30004-2032

Georgia Secretary of State  
214 State Capitol  
Atlanta, Georgia 30334

HD Supply  
3100 Cumberland Blvd SE Ste 1700  
Atlanta, GA 30339-5939  
Attn.: Accounts Payable

Mechanical Equipment Co.  
PO Box 341  
Lawrenceville, GA 30045

Merbaum Law Group, P.C.  
5755 North Point Pkwy  
Suite 284  
Alpharetta, GA 30022

Sellers & Warren, P.C.  
117 Towne Lake Pkwy  
Suite 100  
Woodstock, GA 30188