B 1 (Official F@mSe (1/0862758 Doc 1 Filed 01/31/10 Entered 01/31/10 22:00:55 Desc Main United States BankruptcyrContt Page 1 of 8 **Voluntary Petition** Northern District of Georgia Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): **Threewitt Enterprises, LLC** All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more more than one, state all): 26-1284965 than one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 670 Page Place Canton, GA ZIP CODE ZIP CODE 30114 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business **Cherokee County** Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): PO Box 4367 Canton, GA ZIP CODE ZIP CODE 30114 Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE 30114 Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box.) Health Care Business ☐ Chapter 15 Petition for Chapter 7 Single Asset Real Estate as defined in 11 Individual (includes Joint Debtors) Recognition of a Foreign Chapter 9 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding Chapter 11 ☐ Railroad V Corporation (includes LLC and LLP) ☐ Chapter 15 Petition for Stockbroker Partnership Chapter 12 Recognition of a Foreign ☐ Commodity Broker Nonmain Proceeding Other (If debtor is not one of the above entities, Chapter 13 Clearing Bank check this box and state type of entity below.) Nature of Debts Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose. Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached ☑ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). 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. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes A plan is being filed with this petition Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b) THIS SPACE IS FOR Statistical/Administrative Information COURT USE ONLY ☐ Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors **√** 100-200-50-1,000-5,001-10,001-25,001-50,001-Over 49 199 10.000 100,000 100,000 99 5.000 25,000 50,000 Estimated Assets V \Box \$50,001 to \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$1 \$50,000 \$100,000 to \$100 to \$500 \$500,000 \$1 to \$10 to \$50 to \$1 billion billion million million million million million **Estimated Liabilities** A \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$0 to \$50,001 to \$100,001 to \$500,000,001 More than \$1 \$50,000 \$100,000 \$1 to \$10 to \$50 to \$100 to \$500 \$500,000 billion to \$1 billion million million million million million

B 1 (Official Forms & (1/08) 62758 Doc 1 File	<u>d 01/31/10</u>	Entered 01/31/10 22:00:55	Desc Mark B1, Page 2
, 01411441 J 1 01101011	Occument	Name of Bedro(s).8	
(This page must be completed and filed in every case)		Threewitt Enterprises, LLC	
All Prior Bankruptcy Cases	Filed Within Last	${f 8}$ ${f Years}$ (If more than two, attach additional sheet	i.)
Location Where Filed: NONE	•	Case Number:	Date Filed:
Location Where Filed:	(Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Sp	ouse, Partner or A	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., for 10Q) with the Securities and Exchange Commission pursuant to Sectio of the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requesting relief under complete to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchange Act of 1934 and is requested to the Securities Exchang	n 13 or 15(d) chapter 11.)	Exhibit B (To be completed if debtor whose debts are primarily c I, the attorney for the petitioner named in the foreg have informed the petitioner that [he or she] may p 12, or 13 of title 11, United States Code, and have available under each such chapter. I further certify debtor the notice required by 11 U.S.C. § 342(b). X Not Applicable	consumer debts) going petition, declare that I proceed under chapter 7, 11, e explained the relief
		Signature of Attorney for Debtor(s)	Date
	Exhib	bit C	
Does the debtor own or have possession of any property that poses or is Yes, and Exhibit C is attached and made a part of this petition. No	alleged to pose a thi	reat of imminent and identifiable harm to public he	ealth or safety?
	Exhib	oit D	
(To be completed by every individual debtor. If a joint petition is filed	, each spouse must co	omplete and attach a separate Exhibit D.)	
Exhibit D completed and signed by the debtor is attached and	d made a part of this	s petition.	
If this is a joint petition:			
 Exhibit D also completed and signed by the joint debtor is at 	tached and made a r	part of this petition.	
	ormation Regardii	ng the Debtor - Venue	
Debtor has been domiciled or has had a residence preceding the date of this petition or for a longer	e, principal place of	business, or principal assets in this District for 180	days immediately
There is a bankruptcy case concerning debtor's a	ffiliate. general partı	ner, or partnership pending in this District.	
	United States but is	of business or principal assets in the United States a defendant in an action or proceeding [in a federathe relief sought in this District.	
Certification by a Deb	tor Who Reside	s as a Tenant of Residential Property licable boxes.)	
Landlord has a judgment against the debtor for p	ossession of debtor's	residence. (If box checked, complete the following	g).
	<u>(N</u>	Name of landlord that obtained judgment)	
	(A	Address of landlord)	
		cumstances under which the debtor would be perm after the judgment for possession was entered, and	
Debtor has included in this petition the deposit w filing of the petition.	with the court of any	rent that would become due during the 30-day peri	iod after the
Debtor certifies that he/she has served the Landle	ord with this certific	ration. (11 U.S.C. § 362(1)).	

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. \S 362(1)).

B 1 (Official Formuse (1/08)62758 Doc 1 Filed 01/31/10 Voluntary Petition Document					
, ordinary 1 00101011	Name of Bedion (\$).8				
(This page must be completed and filed in every case)	Threewitt Enterprises, LLC				
Signatures					
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	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	and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.				
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.	(Check only one box.)				
[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 chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.				
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)				
X Not Applicable					
Signature of Joint Debtor	(Printed Name of Foreign Representative)				
Signature of Joint Deotor	(Timed Paine of Foreign Representative)				
Telephone Number (If not represented by attorney)					
	Date				
Date					
Signature of Attorney X /S/ B. Glen Johnson	Signature of Non-Attorney Petition Preparer				
Signature of Attorney for Debtor(s)	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				
B. Glen Johnson Bar No. 392250	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				
Printed Name of Attorney for Debtor(s) / Bar No.					
Johnson & Dickinson, LLC	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.				
Firm Name	as required in that section. Official Form 19 is attached.				
1925 Marietta Hwy Ste 201					
Address	Not Applicable				
Canton, GA 30115	Printed Name and title, if any, of Bankruptcy Petition Preparer				
<u>cumon, on torre</u>					
770-479-5566 770-479-55666	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				
1/31/2010	the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)				
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				
Signature of Debtor (Corporation/Partnership)	X Not Applicable				
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	Date				
debtor.	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	partner whose Social-Security number is provided above.				
Code, specified in this petition.	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				
X s/ Robbie F. Threewitt	individual.				
Signature of Authorized Individual	If more than one person prepared this document, attach to the appropriate official form				
Robbie F. Threewitt	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	, , , , , , , , , , , , , , , , , , , ,				
1/31/2010					
Date					

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United States Bankruptcy Court

Northern District of Georgia

In re:		Case No. Chapter	11	
Threewitt Enterprises, LLC		Chapter		
STATEMENT REGARDING AUTHO	ORITY T	O SIGN AND FILE P	ETITION	
I, Robbie F. Threewitt, declare under penalty of perjury that I that on 01/29/2010 the following resolution was duly adopted by the			a Georgia Corporation and	
"Whereas, it is in the best interest of this Corporation to file a Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United	•			
Be It Therefore Resolved, that Robbie F. Threewitt, CEO of th documents necessary to perfect the filing of a Chapter 11 voluntation				
Be It Further Resolved, that Robbie F. Threewitt , CEO of this proceedings on behalf of the Corporation, and to otherwise do ar necessary documents on behalf of the Corporation in connection	nd perform a	all acts and deeds and to execu		
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		

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Northern District of Georgia

In re	Threewitt Enterprises, LLC	, Case No.	
	Debtor	Chapter	11

LIST OF CRED	ITORS HOLDING	20 LARGEST (UNSECURE	D CLAIMS
(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim [if secured also state value of security]
American Express PO Box 297813 Ft. Lauderdale, FL 33329-9785		Credit card debt		\$53,970.97
Ferguson Enterprises 11600 Wills Rd Alpharetta, GA 30004-2032		Supplies		\$33,043.59
Mechanical Equipment Co. PO Box 341 Lawrenceville, GA 30045		Supplies		\$31,050.25
Ameris Bank P.O. Box 3668 Moultrie, GA 31776-3664		RP deficiency bal		\$30,000.00
HD Supply 3100 Cumberland Blvd SE Ste 1700 Atlanta, GA 30339-5939 Attn.: Accounts Payable		Supplies		\$2,125.86
Georgia Secretary of State 214 State Capitol Atlanta, Georgia 30334				\$50.00

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

In re	Threewitt Enterprises, LLC	, Case No.	
	Debtor	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1)

Name of creditor and complete mailing address including zip code (2)

Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted

(3)

Nature of claim (trade debt, bank loan, government contract, etc.) (4)

Indicate if claim is contingent, unliquidated, disputed or subject to setoff (5)

Amount of claim [if secured also state value of security]

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

I, Robbie F. Threewitt, 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. Threewitt	
		Robbie F. Threewitt ,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

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Document Page 8 of 8
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