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	States Bankı thern District (			<u> </u>	-		Volu	ntary Petition
Name of Debtor (if individual, enter Last, First, Middle):  Corkster, LLC				of Joint De	ebtor (Spouse	) (Last, First	, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):					used by the J maiden, and		in the last 8 yell):	ears
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) 43-1992726	yer I.D. (ITIN) No./0	Complete EIN	Last fo	our digits o	f Soc. Sec. or	Individual-	Гахрауег I.D.	(ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, a 750 Hammond Drive Bldg. 16, Suite 100	and State):	ZIP Code	Street	Address of	Joint Debtor	(No. and St	reet, City, and	State):  ZIP Code
Atlanta, GA  County of Residence or of the Principal Place of		30328	Count	y of Reside	ence or of the	Principal Pl	ace of Busines	
Fulton						1		
Mailing Address of Debtor (if different from stre	eet address):		Mailir	ng Address	of Joint Debt	or (if differe	nt from street	address):
		ZIP Code						ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):			1					
Type of Debtor (Form of Organization)		of Business one box)			•	-	otcy Code Un iled (Check or	
(Check one box)  ☐ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP)  ☐ Partnership  ☐ Health Care Business ☐ Single Asset Real Estate as defin 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank		efined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 9 er 11 er 12	of C	a Foreign Ma hapter 15 Peti	tion for Recognition nin Proceeding tion for Recognition nmain Proceeding	
Other (If debtor is not one of the above entities, check this box and state type of entity below.)	the above entities,		States	defined	are primarily co I in 11 U.S.C. § ed by an indivi nal, family, or	(Check onsumer debts, \$ 101(8) as dual primarily	for	Debts are primarily business debts.
Filing Fee (Check one box	<u> </u>	Check on		11 1	•	ter 11 Debt		
<ul> <li>Full Filing Fee attached</li> <li>□ 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.</li> <li>□ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</li> <li>□ A plan is being filed with this petition.</li> <li>□ A cceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).</li> </ul>					ved to insiders or affiliates) l every three years thereafter).			
Statistical/Administrative Information  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.								
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	] 100,000,001 0 \$500 nillion	\$500,000,001 to \$1 billion	More than \$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	to \$100 to		\$500,000,001 to \$1 billion				

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B1 (Official Form 1)(4/10) Page 2 Name of Debtor(s): Voluntary Petition Corkster, LLC (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission 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 pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. 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? Yes, and Exhibit C is attached and made a part of this petition. 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.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ 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) 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. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. 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) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) 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 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. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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B1 (Official Form 1)(4/10) Page 3

## **Voluntary Petition**

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

#### 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.

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

### X /s/ John T. Sanders IV

Signature of Attorney for Debtor(s)

#### John T. Sanders IV 625705

Printed Name of Attorney for Debtor(s)

#### Scroggins & Williamson

Firm Name

127 Peachtree St. NE 1500 Candler Bldg. Atlanta, GA 30303

Address

## Email: centralstation@swlawfirm.com

404-893-3880 Fax: 404-893-3886

Telephone Number

January 31, 2011

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

#### ▼ /s/ Clark S. Ullom

Signature of Authorized Individual

#### Clark S. Ullom

Printed Name of Authorized Individual

#### Member/Owner

Title of Authorized Individual

January 31, 2011

Name of Debtor(s):

Corkster, LLC

#### Signatures

#### 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 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.

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

#### Signature of Non-Attorney Bankruptcy 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.

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

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.)

Date

Address

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 additional sheets conforming 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.

## UNANIMOUS WRITTEN CONSENT OF MEMBERS OF CORKSTER, LLC January 27,2011

The undersigned, being all of the members (collectively, the "Members") of Corkster, LLC, a Georgia corporation (the "Company"), conducted on January 27, 2011, do hereby consent to and adopt the following resolutions, and direct that this written consent be filed with the minutes of the proceedings of the Company:

**RESOLVED**, that in the judgment of the Members, it is desirable and in the best interests of the Company, its creditors, members, employees, and other interested parties that a petition be filed by the Company seeking relief under the provisions of chapter 11 of title 11, United States Code (the "Code");

**RESOLVED**, that Clark S. Ullom, Sole Member/Owner(together with any other officer of the Company, an "<u>Authorized Officer</u>" and together, the "<u>Authorized Officers</u>"), are, and each of them is, hereby authorized and empowered on behalf of, and in the name of, the Company to execute and verify or certify a petition under chapter 11 of the Code and to cause the same to be filed in the United States Bankruptcy Court for the Northern District of Georgia, at such time as said officer executing the same shall determine and in such form as such Authorized Officer may approve (such approval to be conclusively evidenced by the execution of the petition);

**RESOLVED**, that the firm of Scroggins & Williamson, with an office currently located in Atlanta, Georgia, be, and it hereby is, employed as attorneys for the Company under a general retainer in connection with the prosecution of the Company's case under chapter 11 of the Code, and to pay to Scroggins & Williamson reasonable compensation for services rendered in connection with such engagement;

**RESOLVED**, that each of the Authorized Officers, or their designate, be, and each of them hereby is, authorized to execute and file any and all petitions, schedules, motions, lists, applications, pleadings, and other papers, to take any and all such other and further actions which the Authorized Officers or the Company's legal counsel may deem necessary or appropriate to file the voluntary petition for relief under chapter 11 of the Code, including, but not limited to, motions to obtain the use of cash collateral and to incur debtor in possession financing, and to take and perform any and all further acts and deeds which they deem necessary, proper and desirable in connection with the chapter 11 case, with a view to the successful prosecution of such case;

**RESOLVED**, that each of the Authorized Officers, or their designate, be, and each of them hereby is, authorized to cause the Company, and the Company is hereby authorized, to incur post-petition secured and super-priority indebtedness in an amount determined to be necessary or advisable by either such Authorized Officers, and each such Authorized Officer or designate is hereby authorized to negotiate, execute and deliver definitive loan documentation evidencing such indebtedness (the "Post-Petition Credit Agreement"), and the Company is authorized to perform all of the obligations and agreements of the "Borrower" thereunder (including the repayment of any amount owing

thereunder) and to consummate the transactions contemplated thereby, and each such Authorized Officer or designee is hereby authorized to negotiate, make, sign, execute, acknowledge, deliver and perform any and all such other instruments and agreements which they deem necessary, proper and desirable in connection therewith, including (without limitation) a security agreement and pledge agreement, pursuant to which all of the assets of the Company will be pledged to the lenders as collateral under the Post-Petition Credit Agreement, in each case, in such forms and with such changes, modifications or additions thereto as the executing Authorized Officer or designate shall approve in his or her sole discretion (such approval to be conclusively evidenced by the execution of the Post-Petition Credit Agreement and such other instruments and agreements);

**RESOLVED**, that each of the Authorized Officers be, and each of them hereby is, authorized to employ and retain on behalf of the Company financial advisors, special counsel, accountants, public relations advisors and other professionals, to advise the Company in connection with its case under chapter 11 of the Code;

**RESOLVED**, that the Authorized Officers of the Company be, and each of them hereby is, authorized and directed on behalf of the Company to take such actions and to make, sign, execute, acknowledge, deliver and perform (and record in a relevant office of the county clerk, if necessary) any and all such agreements listed above (including exhibits thereto), including any and all affidavits, orders, directions, certificates, requests, receipts, financing statements or other instruments as may reasonably be required to give effect to the foregoing Resolutions, and to execute and deliver such agreements (including exhibits thereto) and related documents, and to perform fully the terms and provisions thereof;

**RESOLVED**, that the Company be, and hereby is, authorized to pay all fees and expenses incurred by it or for its account in connection with the transactions approved in any or all of the foregoing Resolutions, and all transactions related thereto, and each Authorized Officer, or their designate, be, and each of them hereby is, authorized, empowered and directed to make said payments as such Authorized Officer or designate may deem necessary, appropriate, advisable or desirable, such payment by any such officer to constitute conclusive evidence of such officer's determination and approval of the necessity, appropriateness, advisability or desirability thereof; and

**RESOLVED**, that to the extent that any of the actions authorized by any of the foregoing Resolutions have been taken by the Authorized Officers of the Company on its behalf, such actions are hereby ratified and confirmed in their entirety.

IN WITNESS WHEREOF, the undersigned have executed this consent as of the date first written above.

MEMBERS		
Cl	5	
Clark S. Ulloi	m	
<u> </u>		
	](Name)	
<u> </u>	1/Noma)	
	](Name)	
<u> </u>	](Name)	

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**B4** (Official Form 4) (12/07)

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

In re	Corkster, LLC		Case No.	
		Debtor(s)	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]
Fulton County Tax Commissioner 141 Pryor Street, Ste. 2052 Atlanta, GA 30303	Fulton County Tax Commissioner 141 Pryor Street, Ste. 2052 Atlanta, GA 30303			10,773.99
John Dryman The Dryman Company 2631 Buford Hwy Atlanta, GA 30324	John Dryman The Dryman Company 2631 Buford Hwy Atlanta, GA 30324			Unknown
John Hirtle Hirtle Heating and Air 2418 Stockton Dr. Marietta, GA 30066	John Hirtle Hirtle Heating and Air 2418 Stockton Dr. Marietta, GA 30066			515.00
Perimeter Ridge Owners Assoc c/o Dryman Team 2631 Buford Hwy Atlanta, GA 30324	Perimeter Ridge Owners Assoc c/o Dryman Team 2631 Buford Hwy Atlanta, GA 30324	Association Fees		26,000.00
Vesta Holding 1266 West Paces Ferry Road Box 517 Atlanta, GA 30327	Vesta Holding 1266 West Paces Ferry Road Box 517 Atlanta, GA 30327	Fulton County Taxes		63,386.26

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B4 (Official Form 4) (12/07) - Cont.						
In re	Corkster, LLC	Case No.				
	Debtor(s)					

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(2)	(3)	(4)	(5)
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]
	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor  Nature of claim (trade debt, bank loan, government contract,	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, unliquidated, disputed, or subject

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

I, the Member/Owner 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	January 31, 2011	Signature	/s/ Clark S. Ullom
			Clark S. Ullom
			Mambar/Owner

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.

Buffy Berryhill c/o John Bagwell, Attorney 750 Hammnd Dr Bldg. 16, St 300 Atlanta, GA 30328

Fulton County Tax Commissioner 141 Pryor Street, Ste. 2052 Atlanta, GA 30303

Gas South P.O. Box 4298 Atlanta, GA 30302

Georgia Power 96 Annex Atlanta, GA 30396-0001

John Dryman
The Dryman Company
2631 Buford Hwy
Atlanta, GA 30324

John Hirtle Hirtle Heating and Air 2418 Stockton Dr. Marietta, GA 30066

Perimeter Ridge Owners Assoc c/o Dryman Team 2631 Buford Hwy Atlanta, GA 30324

Plymouth Tax Service 115 S. Jefferson Raod Bldg D-1 Whippany, NJ 07981 Regions Bank 201 Monroe Street, Ste. 1600 P.O. Box 431 Montgomery, AL 36104

Vesta Holding 1266 West Paces Ferry Road Box 517 Atlanta, GA 30327