Case 11-59777-jrs Doc 1 Filed 04/01/11 Entered 04/01/11 11:02:11 Desc Main Document Page 1 of 13

United States Bankruptcy Court Northern District of Georgia - Atlanta Division						Volunta	ary Petition					
	Name of Debtor (if individual, enter Last, First, Middle):  Conyers Equipment Leasing LLC					Name	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):  FKA Softee Supreme, LLC					All Or (inclu	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four dig	e, state all)	Sec. or Indi	ividual-Taxpa	ayer I.D. (	(ITIN) No./	Complete E	EIN Last f	our digits o	f Soc. Sec. or	Individual-	Γaxpayer I.D. (ITI	N) No./Complete EIN
Street Addre	ess of Debto	•	Street, City,	and State)	):	ZIP Code		Address of	f Joint Debtor	(No. and Str	reet, City, and Stat	ziP Code
C (D	. 1	C.I. D.	' 1 DI	CD :		30013		f D: 1-		Data da al Di	£ D	
Rockdal		of the Prin	cipal Place o	f Busines	s:		Count	y of Reside	ence or of the	Principal Pla	ace of Business:	
Mailing Add	dress of Deb	otor (if diffe	erent from str	eet addres	ss):		Mailii	ng Address	of Joint Debt	or (if differen	nt from street addr	ess):
					г	ZIP Code	<u>:</u>					ZIP Code
Location of (if different)				:	l							
		f Debtor		Τ		of Business	8		Chapter	of Bankrup	otcy Code Under	Which
		rganization) one box)		Пне	,	cone box)				Petition is Fi	led (Check one bo	ox)
See Exhi	(Check one box)  ☐ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP)						s defined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 9 er 11 er 12	of Cl	hapter 15 Petition a Foreign Main P hapter 15 Petition a Foreign Nonma	roceeding for Recognition
Other (If		one of the al	bove entities,	Oth							e of Debts	
check this	s box and stat	e type of end	ny below.)	Tax-Exempt Entity (Check box, if applicable)  □ Debtor is a tax-exempt organiz under Title 26 of the United St Code (the Internal Revenue Co		le) ganization ed States	defined "incurr	are primarily cod in 11 U.S.C. § red by an indivioual, family, or	onsumer debts, 3 101(8) as idual primarily	for	Debts are primarily business debts.	
	Fil	ling Fee (C	heck one box	K)		Check	one box:	1	Chap	ter 11 Debte	ors	
attach sign debtor is u Form 3A.	e to be paid in ned application unable to pay	n installments on for the cou fee except in	s (applicable to urt's considerat n installments. able to chapter urt's considerat	ion certifyi Rule 1006 7 individu	ing that the (b). See Office als only). Mu	Check	Debtor is not if: Debtor's agg are less than all applicabl A plan is bein Acceptances	regate nonco \$2,343,300 ( e boxes: ng filed with of the plan w	entingent liquid: amount subject this petition.	defined in 11 Unated debts (except to adjustment	J.S.C. § 101(51D).	o insiders or affiliates) ry three years thereafter). s of creditors,
Statistical/A	Administrat	ive Inform	ation				iii accordance	c with 11 O.s.	3.C. § 1120(b).		SPACE IS FOR CO	URT USE ONLY
Debtor e	stimates tha	ıt, after any	l be available exempt prop for distribut	erty is ex	cluded and	administra		es paid,				
Estimated N  1- 49	umber of C 50- 99	reditors  100- 199	200-	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated A  So to \$50,000	ssets \$50,001 to \$100,000	\$100,001 to \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				
Estimated Li  \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				

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**Document** Page 2 of 13 B1 (Official Form 1)(4/10) Page 2 Name of Debtor(s): Voluntary Petition **Conyers Equipment Leasing 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) Case Number: Location Date Filed: Where Filed: - None -Date Filed: Location Case Number: 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 10O) 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 required by 11 U.S.C. §342(b). and is requesting relief under chapter 11.) ☐ 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(1)).

## B1 (Official Form 1)(4/10)

Voluntary Petition

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

## Conyers Equipment Leasing 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.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

#### X /s/ G. Frank Nason, IV

Signature of Attorney for Debtor(s)

#### G. Frank Nason, IV 535160

Printed Name of Attorney for Debtor(s)

#### Lamberth, Cifelli, Stokes, Ellis & Nason, P.A.

Firm Name

3343 Peachtree Road, N.E. Ste. 550 Atlanta, GA 30326

Address

#### 404-262-7373 Fax: 404-262-9911

Telephone Number

## April 1, 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.

#### X /s/ Collin Brown, III

Signature of Authorized Individual

#### Collin Brown, III

Printed Name of Authorized Individual

### Managing member

Title of Authorized Individual

April 1, 2011

Date

#### Signature of a Foreign Representative

Page 3

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.)

Name of Debtor(s):

- ☐ 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.

X

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.)

_		_	
ч	L	7	
-			

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.

### CERTIFIED COPY OF RESOLUTIONS ADOPTED BY THE MEMBERS OF CONYERS EQUIPMENT LEASING LLC

I, Collin Brown III, managing member of Conyers Equipment Leasing LLC (the "Company"), do hereby certify that the following resolutions were adopted by the members of the Company at a meeting duly called and held on March 31, 2011, and that such resolutions have not been amended or rescinded and are now in full force and effect:

RESOLVED, that the filing by the Company of a petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Georgia be, and it hereby is, approved;

FURTHER RESOLVED, that the managing member is authorized and directed to file on behalf of the Company a petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Georgia;

FURTHER RESOLVED, that the managing member of the Company be, and hereby is, authorized and directed to retain on behalf of the Company the law firm of Lamberth, Cifelli, Stokes, Ellis & Nason, P.A., to render legal services to, and to represent, the Company in connection with such bankruptcy proceedings and other related matters in connection therewith, on such terms as such member or members shall approve;

FURTHER RESOLVED, that the managing member of the Company be, and hereby is, authorized and directed to take any and all such further action and to execute and deliver any and all such further instruments and documents and to pay all such expenses, in each case as in his judgment shall be necessary or desirable to fully carry out the intent and accomplish the purposes of the resolutions adopted hereby; and

FURTHER RESOLVED, that all acts lawfully done or actions lawfully taken by the managing member of the Company in connection with the bankruptcy proceedings of the Company or any matter related thereto or by virtue of these resolutions is hereby in all respects ratified, confirmed and approved.

WITNESS my hand and the seal of the Company this 3\ day of March, 2011.

CONYERS EQUIPMENT LEASING LLC

Collin Brown III, Managing member

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

## **United States Bankruptcy Court** Northern District of Georgia - Atlanta Division

In re	Conyers Equipment Leasing LLC			
		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]
Material Sales & Sourcing 3615 Tradition Dr Gainesville, GA 30506	Material Sales & Sourcing 3615 Tradition Dr Gainesville, GA 30506	Business vendor		253,938.40
Bostik Findley, Inc. 22838 Network PI Chicago, IL 60673-1227	Amy Meir/Renee Alex Bostik Findley, Inc. 22838 Network PI Chicago, IL 60673-1227 414/774-2250; 414/774-8075(f)	Business vendor		149,120.17
Zappa-Tec 828 Knox Rd McLeansville, NC 27301	Clint Barefoot Zappa-Tec 828 Knox Rd McLeansville, NC 27301 336/279-1009;336/346-1038(f)	Business vendor		124,490.00
Innerworkings 20 North Wacker Dr #1000 Chicago, IL 60606	Innerworkings 20 North Wacker Dr #1000 Chicago, IL 60606	Business vendor		80,684.28
VHIC 2274 Salem Rd Conyers, GA 30013	VHIC 2274 Salem Rd Conyers, GA 30013	Business vendor		74,000.00
Woodbridge Foam Fabricating PO Box 8500 (S6460) Phildelphia, PA 19178	Debbie Foster Woodbridge Foam Fabricating PO Box 8500 (S6460) Phildelphia, PA 19178 423/622-8326;423/622-8219(f)	Business vendor		41,560.59
H.B. Fuller PO Box 905326 Charlotte, NC 28290	Corey Keith H.B. Fuller PO Box 905326 Charlotte, NC 28290 888/351-3523;800/528-6079(f)	Business vendor		34,161.22
Radicispandex 3145 Northwest Blvd Gastonia, NC 28052	Susan Hogue Radicispandex 3145 Northwest Blvd Gastonia, NC 28052 704/864-5495;704/836-3143(f)	Business vendor		29,801.43
KTS Logistics 320 Elaine Dr Swainsboro, GA 30401	KTS Logistics 320 Elaine Dr Swainsboro, GA 30401	Business vendor		29,000.00

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B4 (Official Form 4) (12/07) - Cont.							
In re	Conyers Equipment Leasing LLC	Case No.					
	Debtor(s)						

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(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]
AICCO, Inc. PO Box 200455 Dallas, TX 75320-0455	AICCO, Inc. PO Box 200455 Dallas, TX 75320-0455	Business vendor		20,038.16
AEP INC PO Box 8500-50590 Philadelphia, PA 19178	Emily Knight AEP INC PO Box 8500-50590 Philadelphia, PA 19178 knighte@aepinc.com;201/994-2955(f)	Business vendor		15,482.21
Filmtech 2121 31 St Allentown, PA 18103	Ralph Jiorle Filmtech 2121 31 St Allentown, PA 18103 610/730-3582;610/709-69990(f)	Business vendor		14,346.65
AccuSentry 605 Franklin Rd Marietta, GA 30067	Wei Siong Tan AccuSentry 605 Franklin Rd Marietta, GA 30067 770/850-1705(f); tan@accusentry.com	Business vendor		11,856.38
Fredman Bag PO Box 549 Kenosha, WI 53141	Frank Crivello Fredman Bag PO Box 549 Kenosha, WI 53141 414/462-9400;414/462-9409(f)	Business vendor		10,185.70
Clear View Bag Co Inc 5 Burdick Dr Albany, NY 12205	Trent Romer Clear View Bag Co Inc 5 Burdick Dr Albany, NY 12205 trentromer@clearviewbag.com	Business vendor		9,318.50
Damco PO Box 885 Madison, NJ 07940-0880	PO Box 885 Madison, NJ 07940-0880 973/514-5133;973/514-5088(f)	Business vendor		7,910.00
TranSource LLC 319 Garlington Rd #B6 Greenville, SC 29615	TranSource LLC 319 Garlington Rd #B6 Greenville, SC 29615	Business vendor		6,519.51
Skylark Logistics Inc #60 Havelock Dr Brampton, Ontario L6W4B1 CANADA	Skylark Logistics Inc #60 Havelock Dr Brampton, Ontario L6W4B1 CANADA 877/595-2755; 905/796-0607(f)	Business vendor		6,300.00
The Hartford 400 Exective Blvd Southington, CT 06489	The Hartford 400 Exective Blvd Southington, CT 06489	Business vendor		6,089.00
Intertape Polymer 3647 Cortez Rd W Bradenton, FL 34210	Intertape Polymer 3647 Cortez Rd W Bradenton, FL 34210	Business vendor		5,865.60

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Conyers Equipment Leasing LLC	Case No.	
	Debtor(s)		

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

I, the Managing member 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	April 1, 2011	Signature	/s/ Collin Brown, III
			Collin Brown, III
			Managing member

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.

#### 

## United States Bankruptcy Court Northern District of Georgia - Atlanta Division

		8		
In re	Conyers Equipment Leasing LLC		Case No.	
		Debtor(s)	Chapter 11	
	VERIFIC	ATION OF CREDITOR	MATRIX	
	V ZIKII 10.			
I, the M	Ianaging member of the corporation name	ed as the debtor in this case, hereby ve	rify that the attached list of	creditors is true and
correct	to the best of my knowledge.			
COTTECT	to the best of my knowledge.			
Date:	April 1, 2011	/s/ Collin Brown, III		
		Collin Brown, III/Managing me	mber	
		Signer/Title		

AccuSentry 605 Franklin Rd Marietta, GA 30067

AEP INC PO Box 8500-50590 Philadelphia, PA 19178

AICCO, Inc. PO Box 200455 Dallas, TX 75320-0455

Airgas 3424 Miller Rd Chamblee, GA 30341

Attorney General of Georgia 132 State Judicial Bldg Atlanta, GA 30334

Bostik Findley, Inc. 22838 Network Pl Chicago, IL 60673-1227

Brooks F. Bossong Nexsen Pruet, PLLC 701 Green Valley Rd #100 Greensboro, NC 27408

Carolina Container 909 Prospect St High Point, NC 27261

Clear View Bag Co Inc 5 Burdick Dr Albany, NY 12205 Collin Brown, III 384-4 16th St Atlanta, GA 30363

Confederate Packaging PO Box 934035 Atlanta, GA 31193-4035

Damco PO Box 885 Madison, NJ 07940-0880

Filmtech 2121 31 St Allentown, PA 18103

Foamex, Inc 13 Manor Rd East Rutherford, NJ 07073

Fredman Bag PO Box 549 Kenosha, WI 53141

GE Capital 901 Main Ave Norwalk, CT 06851-1168

Georgia Department of Revenue Bankruptcy Section PO Box 161108 Atlanta, GA 30321

H.B. Fuller PO Box 905326 Charlotte, NC 28290 IFS Industries 400 Orrton Ave Reading, PA 19611

Industrial Packaging Corporation 300 Villanovea Dr. SW Atlanta, GA 30336

Innerworkings 20 North Wacker Dr #1000 Chicago, IL 60606

InStream
PO Box 282066
Nashville, TN 37228

Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346

Intertape Polymer 3647 Cortez Rd W Bradenton, FL 34210

KTS Logistics 320 Elaine Dr Swainsboro, GA 30401

Mantek Inc 1507 South Central Ave Kent, WA 98032

Material Sales & Sourcing 3615 Tradition Dr Gainesville, GA 30506

Pak & Associates 10 Bellamy Pl Stockbridge, GA 30281

Poly First 2261 Innovation Way Hartford, WI 53027

Quality Adhesives PO Box 18445 Memphis, TN 38181-0445

Radicispandex 3145 Northwest Blvd Gastonia, NC 28052

Skylark Logistics Inc #60 Havelock Dr Brampton, Ontario L6W4B1 CANADA

Tactical Sourcing 387 Vista Lake Dr Suwane, GA 30024

The Hartford 400 Exective Blvd Southington, CT 06489

TranSource LLC 319 Garlington Rd #B6 Greenville, SC 29615

U.S. Atty/Civil Process Clerk 600 Richard Russell Bldg 75 Spring St., SW Atlanta, GA 30303 Unlimited Freight Consultants 6800 NW 82nd Ave Miami, FL 33166

VHIC 2274 Salem Rd Conyers, GA 30013

Woodbridge Foam Fabricating PO Box 8500 (S6460) Phildelphia, PA 19178

Zappa-Tec 828 Knox Rd McLeansville, NC 27301