Case 12-53976-wlh Doc 1 Filed 02/14/12 Entered 02/14/12 13:02:18 Desc Main

<u>B1 (Official Form 1)(4/10)</u>		ocument	<u> </u>	age 1 o	<u>)† 11</u>	
No	I States Banl orthern District	kruptcy C t of Georgi	Jourí a	į		Voluntary Petition
Name of Debtor (if individual, enter Last, Fin R and D Partners, Inc.	st, Middle):		Namo	∍ of Joint I	Debtor (Spous	use) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): DBA Delta Refrigeration				ther Name ide married	s used by the d, maiden, an	ne Joint Debtor in the last 8 years nd trade names):
Last four digits of Soc. Sec. or Individual-Taxy (if more than one, state alt) 20-4116067)./Complete EIN	Last f	four digits te than one, stat	of Soc. Sec. (or Individual-Taxpayer I.D. (ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, 3050-F Business Park Drive Norcross, GA	and State):	-in Clada	Street	Address o	of Joint Debto	tor (No. and Street, City, and State):
County of Residence or of the Principal Place Gwinnett	of Business:	ZIP Code 30071	Coun	ty of Resid	dence or of th	he Principal Place of Business:
Mailing Address of Debtor (if different from st P.O. Box 2743 Norcross, GA	reet address):	ZIP Code	Mailir	ng Address	s of Joint Deb	ebtor (if different from street address): ZIP Code
Location of Principal Assets of Business Debto (if different from street address above):	or .	30091	1			211 0010
Type of Debtor (Form of Organization) (Check one box) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.)	(Chec Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo) Check bo)	Real Estate as de \$ 101 (51B) Broker Cempt Entity ox, if applicable)	the Petition is Filed (Check Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 12 Chapter 13 Chapter 13 Nature of Debts (Check one box) ble) reganization ted States the Petition is Filed (Check Check Check one box) Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for			(Check one box) consumer debts, . § 101(8) as vidual primarily for or household purpose." Debts are primarily business debts.
Filing Fee (Check one box Full Filing Fee attached Filing Fee to be paid in installments (applicable to attach signed application for the court's considerat debtor is unable to pay fee except in installments. Form 3A. Filing Fee waiver requested (applicable to chapter attach signed application for the court's considerat	o individuals only). Must tion certifying that the Rule 1006(b). See Offic r 7 individuals only). Mu	st Check if: Debte are le Check all a Check all a A pla A ccej	tor is a sm tor is not a tor's aggre less than \$ applicable an is being eptances o	a small busing regate noncount of the plan with	is debtor as defininess debtor as contingent liquida (amount subject at this petition.	speer 11 Debtors fined in 11 U.S.C. § 101(51D). s defined in 11 U.S.C. § 101(51D). dated debts (excluding debts owed to insiders or affiliates) ct to adjustment on 4/01/13 and every three years thereafter). prepetition from one or more classes of creditors,
Statistical/Administrative Information ☐ Debtor estimates that funds will be available ☐ Debtor estimates that, after any exempt prop there will be no funds available for distribution	nerty is excluded and	l administrativa e		s paid,		THIS SPACE IS FOR COURT USE ONLY
1- 50- 100- 200- 49 99 199 999	1,000- 5,001- 5,000 10,000		,001-	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 million	\$1,000,001 \$10,000,001 to \$10 to \$50 million	\$50,000,001 \$100 to \$100 to \$ million milli	\$500	\$500,000,001 to \$1 billion		
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,600,001 \$10,000,001 to \$10 to \$50	\$50,000,001 \$100 to \$100	0,000,001	\$500,000,001 to \$1 billion		

B1 (Official Form 1)(4/10) Document Page 2 of 11 Page 2 Name of Debtor(s): Voluntary Petition R and D Partners, Inc. (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, pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 12, or 13 of title 11, United States Code, and have explained the relief available 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(1)).

Case 12-53976-wlh Doc 1

Case 12-53976-wlh Doc 1 Filed 02/14/10 Document	12 Entered 02/14/12 13:02:18 Desc Main Page 3 of 11 Page 3
Voluntary Petition	Name of Debtor(s):
•	R and D Partners, Inc.
This page must be completed and filed in every case)	
Signature(s) of Debtor(s) (Individual/Joint)	natures
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 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.
X	X Signature of Foreign Representative
X	Signature of Foreign Representative
	Principles CP 1 Principles
X	Printed Name of Foreign Representative
bighaute of John Debior	Date
Telephone Number (If not represented by attorney)	
resoptione (value of (it not represented by automosy)	Signature of Non-Attorney Bankruptcy Petition Preparer
Signature of Attorney* X /s/ Beth E. Rogers Signature of Attorney for Debtor(s) Beth E. Rogers 612092 Printed Name of Attorney for Debtor(s) BER LAW, P.C. d/b/a ROGERS LAW OFFICES Firm Name 100 Peachtree Street Suite 1950 Atlanta, GA 30303 Address Email: brogers@berlawoffice.com 770-685-6320 Fax: 678-990-9959 Telephone Number	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 II 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.)
February 9, 2012	
Date	Address
*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.	X
Signature of Debtor (Corporation/Partnership)	Date
- S(Signature of Bankruptcy Petition Preparer or officer, principal, responsible
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.	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
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	not an individual:

X /s/ Donald B. Roberts

Signature of Authorized Individual

Donald B. Roberts

Printed Name of Authorized Individual

President

Title of Authorized Individual

February 9, 2012

Date

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.

Case 12-53976-wlh Doc 1 Filed 02/14/12 Entered 02/14/12 13:02:18 Desc Main Document Page 4 of 11

United States Bankruptcy Court Northern District of Georgia

In re	R and D Partners, Inc.		Case No.		
		Debtor(s)	Chapter	11	

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Donald B. Roberts, declare under penalty of perjury that I am the President of R and D Partners, Inc., and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the _9th day of February, 20_12_.

"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 **Donald B. Roberts**, **President** 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 **Donald B. Roberts**, **President** 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 Donald B. Roberts, President of this Corporation is authorized and directed to employ Beth E. Rogers 612092, attorney and the law firm of BER LAW, P.C. d/b/a ROGERS LAW OFFICES to represent the corporation in such bankruptcy case."

Date	February	9, 2012	Signed	s/ Donald B. Roberts
				Donald B. Roberts

United States Bankruptcy Court Northern District of Georgia

In re R and D Partners, Inc.		Case No.	
	Debtor(s)	Chapter	11
co	ORPORATE OWNERSHIP STATEMENT (RU	LE 7007.1)	
or recusal, the undersigned cour is a (are) corporation(s), other th	nkruptcy Procedure 7007.1 and to enable the Judge nsel for R and D Partners, Inc. in the above capt han the debtor or a governmental unit, that directly equity interests, or states that there are no entities	ioned action or indirectly	certifies that the following yown(s) 10% or more of
■ None [<i>Check if applicable</i>]			
February 9, 2012	/s/ Beth E. Rogers		
Date	Beth E. Rogers 612092	•	
	Signature of Attorney or Litigant		
	Counsel for R and D Partners, Inc BER LAW, P.C. d/b/a ROGERS LAW		
	100 Peachtree Street	OFFICES	
	Suite 1950		
	Atlanta, GA 30303		
	770-685-6320 Fax:678-990-9959		

brogers@berlawoffice.com

Case 12-53976-wlh Doc 1 Filed 02/14/12 Entered 02/14/12 13:02:18 Desc Main Document Page 6 of 11

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Northern District of Georgia

In re	R and D Partners, Inc.		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]
Airport Plaza Properties 101 Marietta Street Suite 3175 Atlanta, GA 30303	Airport Plaza Properties 101 Marietta Street Suite 3175 Atlanta, GA 30303	Rent Arrears		7,447.78
American Hermetics 2935 EAst Ponce De Leon Decatur, GA 30030	American Hermetics 2935 EAst Ponce De Leon Decatur, GA 30030	Supplier		1,400.00
Baker Distributing 14610 Breakers Dr. Jacksonville, FL 32258	Baker Distributing 14610 Breakers Dr. Jacksonville, FL 32258	supplier		769.46
C.C. Dickson PO Box 13501 Rock Hill, SC 29731-3501	C.C. Dickson PO Box 13501 Rock Hill, SC 29731-3501	supplier		1,166.08
Case Parts 877 Monterey Pass Road Monterey Park, CA 91754	Case Parts 877 Monterey Pass Road Monterey Park, CA 91754	supplier		440.66
Cintas Corp 1055 Progress Industrial Blvd. Lawrenceville, GA 30043	Cintas Corp 1055 Progress Industrial Blvd. Lawrenceville, GA 30043	uniforms supply		578.17
Communications Business Svcs 2985 Gordu Parkway Suite 100 Marietta, GA 30066	Communications Business Svcs 2985 Gordu Parkway Suite 100 Marietta, GA 30066	answering service		355.67
Ed's Supply Co. PO Box 72966 Chattanooga, TN 37407	Ed's Supply Co. PO Box 72966 Chattanooga, TN 37407	supplier		4,128.73
Georgia Department of Revenue 1800 Century Bivd. N.E. Atlanta, GA 30345	Georgia Department of Revenue 1800 Century Blvd. N.E. Atlanta, GA 30345			3,664.82 (0.00 secured)
Georgia Department of Revenue 1800 Century Blvd. N.E. Atlanta, GA 30345	Georgia Department of Revenue 1800 Century Blvd. N.E. Atlanta, GA 30345	For Notice Purposes Only		Unknown

Case 12-53976-wlh Doc 1 Filed 02/14/12 Entered 02/14/12 13:02:18 Desc Main Document Page 7 of 11

B4 (Offi	cial Form 4) (12/07) - Cont.			
In re	R and D Partners, Inc.		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]
Int'l Cold Storage 215 E. 13th Street Andover, KS 67002	Int'l Cold Storage 215 E. 13th Street Andover, KS 67002	supplier		3,234.14
Internal Revenue Service P.O. Box 105404 Atlanta, GA 30348-5404	Internal Revenue Service P.O. Box 105404 Atlanta, GA 30348-5404			27,675.63
Internal Revenue Service P.O. Box 105404 Atlanta, GA 30348-5404	Internal Revenue Service P.O. Box 105404 Atlanta, GA 30348-5404	for notice purposes		(0.00 secured) Unknown
Kaiser Permanente Kaiser Foundation PO Box 403012 Atlanta, GA 30384-3012	Kaiser Permanente Kaiser Foundation PO Box 403012 Atlanta, GA 30384-3012	health insurance		5,322.06
Sprint PO Box 195243 Atlanta, GA 30348	Sprint PO Box 195243 Atlanta, GA 30348	cell phone provider		1,380.66
Trane 3600 Pammel Creek Road La Crosse, WI 54601-7599	Trane 3600 Pammel Creek Road La Crosse, WI 54601-7599	supplier		1,339.76
United Refrigeration 11401 Roosevelt Blvd. Philadelphia, PA 19154-2197	United Refrigeration 11401 Roosevelt Blvd. Philadelphia, PA 19154-2197	supplier		4,486.07
Wells Fargo Bank, N.A. 1620 E. Roseville Parkway Suite 100 Roseville, CA 95661	Wells Fargo Bank, N.A. 1620 E. Roseville Parkway Suite 100 Roseville, CA 95661			727,945.96 (Unknown secured)

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

I, the President 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 Fe	bruary 9, 2012	Signature	/s/ Donald B. Roberts	
			Donald B. Roberts	
			President	

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

In re	R and D Partners, Inc.		Case No.				
		Debtor(s)	Chapter	11			
	VERI	FICATION OF CREDITOR M	ATRIX				
I , the Pı	resident of the corporation named as	s the debtor in this case, hereby verify that the a	attached list of	creditors is true and correct to			
	of my knowledge.	, ,,					
the best	of my knowledge.						
ъ.	Fabrura 0 0040						
Date:	February 9, 2012	/s/ Donald B. Roberts					
		Donald B. Roberts/President Signer/Title					
		pigner/ Time					

Airport Plaza Properties 101 Marietta Street Suite 3175 Atlanta, GA 30303

American Hermetics 2935 EAst Ponce De Leon Decatur, GA 30030

Baker Distributing 14610 Breakers Dr. Jacksonville, FL 32258

Burr Forman 171 Seventeenth Street NW Suite 1100 Atlanta, GA 30363

C.C. Dickson PO Box 13501 Rock Hill, SC 29731-3501

Case Parts 877 Monterey Pass Road Monterey Park, CA 91754

Cintas Corp 1055 Progress Industrial Blvd. Lawrenceville, GA 30043

Communications Business Svcs 2985 Gordu Parkway Suite 100 Marietta, GA 30066

Donald Roberts 1646 Friar Tuck Rd. Atlanta, GA 30309 Ed's Supply Co. PO Box 72966 Chattanooga, TN 37407

Georgia Department of Revenue 1800 Century Blvd. N.E. Atlanta, GA 30345

Int'l Cold Storage 215 E. 13th Street Andover, KS 67002

Internal Revenue Service P.O. Box 105404 Atlanta, GA 30348-5404

Internal Revenue Service P.O Box 21126 Philadelphia, PA 19114

Kaiser Permanente Kaiser Foundation PO Box 403012 Atlanta, GA 30384-3012

Sprint PO Box 195243 Atlanta, GA 30348

Trane 3600 Pammel Creek Road La Crosse, WI 54601-7599

United Refrigeration 11401 Roosevelt Blvd. Philadelphia, PA 19154-2197 US Small Business Admin. 409 3rd Street, SW Washington, DC 20416

Wells Fargo Bank, N.A. 1620 E. Roseville Parkway Suite 100 Roseville, CA 95661