Case 12-75163 Doc 1 Filed 10/04/12 Entered 10/04/12 16:39:34 Desc Main Document Page 1 of 12

B1 (Official F	Form 1)(12	/11)				odinion.		90 1 01			1	
			United Nor			ruptcy of Georg					Vo	luntary Petition
	Name of Debtor (if individual, enter Last, First, Middle):  Roofing Atlanta, Inc.					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):						All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four dig (if more than one, 03-05904	, state all)	Sec. or Indi	vidual-Taxpa	yer I.D. (	ITIN) No./	Complete E	IN Last f	our digits o	f Soc. Sec. or	Individual-	Taxpayer I	.D. (ITIN) No./Complete EIN
Street Addres 1707 Ent Suite D	ss of Debto		Street, City, a	and State)	:		Street	Address of	Joint Debtor	(No. and St	reet, City, a	and State):
Buford, (	GA				_	ZIP Code	:					ZIP Code
County of Re		of the Prin	cipal Place o	f Business		30518	Count	y of Reside	ence or of the	Principal Pla	ace of Busi	iness:
Mailing Add	ress of Deb	otor (if diffe	erent from str	eet addres	ss):		Mailir	ng Address	of Joint Debte	or (if differe	nt from str	eet address):
					Г	ZIP Code						ZIP Code
Location of F (if different f												
(Form c	• •	f Debtor	one box)			of Business	:		•	of Bankrup Petition is Fi		Under Which
(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.)			☐ Health Care Business ☐ Single Asset Real Estate as defi in 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank		s defined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 7 er 9 er 11 er 12	☐ Cl of ☐ Cl	hapter 15 F a Foreign hapter 15 F	Petition for Recognition Main Proceeding Petition for Recognition Nonmain Proceeding		
	Chapter 1	5 Debtors		Oth							e of Debts k one box)	
Each country by, regarding,	in which a fo	oreign procee	eding	unde	(Check box tor is a tax-ex er Title 26 of	mpt Entity  a, if applicable  ampt organize  the United Second Revenue Control  1 Revenue Control	e) zation tates	defined "incurr	are primarily co I in 11 U.S.C. § ed by an indivi- onal, family, or l	nsumer debts, 101(8) as dual primarily	for	Debts are primarily business debts.
	Fil	ling Fee (C	heck one box	()		Check	one box:	1	Chap	ter 11 Debt	ors	
debtor is u Form 3A.	to be paid in led application nable to pay	installments on for the cou fee except in	urt's considerat n installments.	ion certifyi Rule 1006(	ng that the (b). See Office	Check	Debtor is not if: Debtor's agg	a small busing regate nonco \$2,343,300 (		lefined in 11 U	U.S.C. § 101	· ·
Filing Fee attach sign			able to chapter urt's considerat			3B.   🗖 1	Acceptances	of the plan w	this petition. were solicited pr S.C. § 1126(b).	repetition from	n one or mor	re classes of creditors,
Statistical/Ad  ■ Debtor es  □ Debtor es there will	stimates that	t funds will t, after any	l be available	erty is ex	cluded and	administrat		es paid,		THIS	S SPACE IS	FOR COURT USE ONLY
Estimated Nu	amber 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 As \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 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 Lia  \$0 to \$50,000	abilities  \$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				

Case 12-75163 Doc 1 Filed 10/04/12 Entered 10/04/12 16:39:34 Desc Main Document Page 2 of 12

**Document** Page 2 of 12 B1 (Official Form 1)(12/11) Page 2 Name of Debtor(s): Voluntary Petition Roofing Atlanta, 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) Case Number: Date Filed: Location 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 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 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(l)).

Case 12-75163 Doc 1 Filed 10/04/12 Entered 10/04/12 16:39:34 Desc Main Page 3 of 12 Document

**B1** (Official Form 1)(12/11) 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/ Cameron M. McCord

Signature of Attorney for Debtor(s)

#### Cameron M. McCord 143065

Printed Name of Attorney for Debtor(s)

#### Jones & Walden, LLC

Firm Name

21 Eighth Street, NE Atlanta, GA 30309

Address

## Email: Ijones@joneswalden.com

404-564-9300 Fax: 404-564-9301

Telephone Number

October 4, 2012

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/ Wesley B. Davenport

Signature of Authorized Individual

#### Wesley B. Davenport

Printed Name of Authorized Individual

Title of Authorized Individual

October 4, 2012

Date

Name of Debtor(s):

Roofing Atlanta, Inc.

#### **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

#### 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.)

		_		
۲	٩	١	,	

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.

Case 12-75163 Doc 1 Filed 10/04/12 Entered 10/04/12 16:39:34 Desc Main Document Page 4 of 12

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

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

In re	Roofing Atlanta, 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]
Atkinson Hunt	Atkinson Hunt			11,500.00
5000 Atrium Way Suite 4	5000 Atrium Way Suite 4			
Mount Laurel, NJ 08054	Mount Laurel, NJ 08054			
CNA Continental Casualty	CNA Continental Casualty Co			52,384.00
Co	23453 Network Place			32,364.00
23453 Network Place	Chicago, IL 60673-1234			
Chicago, IL 60673-1234	Cilicago, IL 00073-1234			
Commerce & Industry	Commerce & Industry Insurance			73,964.05
Insurance	Howe Law Firm PC			73,304.03
Howe Law Firm PC	4385 Kimball Bridge Rd Ste 100			
4385 Kimball Bridge Rd Ste	Alpharetta, GA 30022			
100	Alpharetta, OA 30022			
Alpharetta, GA 30022				
Dataforma, Inc.	Dataforma, Inc.			6,524.15
York College Pennsylvania	York College Pennsylvania			0,020
401 Kings Mill Rd	401 Kings Mill Rd			
York, PA 17403-3651	York, PA 17403-3651			
DME Properties Limited	DME Properties Limited			8,700.00
903 Augusta Circle	903 Augusta Circle Woodstock			0,100.00
Woodstock	Woodstock, GA 30188			
Woodstock, GA 30188				
GA Department of Revenue	GA Department of Revenue			14,280.57
GA Department of Revenue	GA Department of Revenue			42,250.58
Internal Revenue Service	Internal Revenue Service			49,360.88
P.O. Box 7346	P.O. Box 7346			
Philadelphia, PA 19101-7346	Philadelphia, PA 19101-7346			(0.00 secured)
Internal Revenue Service	Internal Revenue Service			110,720.60
P.O. Box 7346	P.O. Box 7346			
Philadelphia, PA 19101-7346	Philadelphia, PA 19101-7346			(0.00 secured)
Internal Revenue Service	Internal Revenue Service			10,990.53
P.O. Box 7346	P.O. Box 7346			
Philadelphia, PA 19101-7346	Philadelphia, PA 19101-7346			(0.00 secured)

## Case 12-75163 Doc 1 Filed 10/04/12 Entered 10/04/12 16:39:34 Desc Main Document Page 5 of 12

B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Roofing Atlanta, 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]
Jackson L. Culbreth	Jackson L. Culbreth			154,940.12
115 Perimeter Center Pl	115 Perimeter Center PI			
Suite 900	Suite 900			(0.00 secured)
Atlanta, GA 30346 Karl J. Howe	Atlanta, GA 30346  Karl J. Howe			72.064.05
Howe & Associates	Howe & Associates			73,964.05
4385 Kimball Bridge Rd Ste	4385 Kimball Bridge Rd Ste 100			(0.00 secured)
100	Alpharetta, GA 30022			(0.00 Securea)
Alpharetta, GA 30022	Alpharotta, OA OOOLL			
N.B. Handy	N.B. Handy			154,457.67
Jackson L. Culbreth	Jackson L. Culbreth			
115 Perimeter Cnt PI sute	115 Perimeter Cnt PI sute 900			
900	Atlanta, GA 30346			
Atlanta, GA 30346				
Premium Assignment Corp	Premium Assignment Corp			5,588.74
Revenue Systems, Inc.	Revenue Systems, Inc.			
PO Box 15257	PO Box 15257			
Clearwater, FL 33766-5257	Clearwater, FL 33766-5257			00 705 55
Richard M. Howe Howe & Associates	Richard M. Howe Howe & Associates			93,785.55
4385 Kimball Bridge Rd #100	4385 Kimball Bridge Rd #100			(0.00 secured)
Alpharetta, GA 30022	Alpharetta, GA 30022			(0.00 Secured)
Robert P. Wildau	Robert P. Wildau			7,251.09
Rubin & Wildau, South	Rubin & Wildau, South Tower			1,201100
Tower	3333 Peachtree Rd, NE, Ste 225			(0.00 secured)
3333 Peachtree Rd, NE, Ste	Atlanta, GA 30326-1007			,
225				
Atlanta, GA 30326-1007				
Southern Roof Center	Southern Roof Center			102,453.61
PO Box 100639	PO Box 100639			
Atlanta, GA 30384-0639	Atlanta, GA 30384-0639	W. II. I. I.		05 500 00
Steven Luper, Esq. Attorney at Law	Steven Luper, Esq. Attorney at Law	Yellowbook		25,500.00
2870 Peachtree Rd, Ste 428	2870 Peachtree Rd, Ste 428			
Atlanta, GA 30305	Atlanta, GA 30305			
The Gartzman Law Firm PC	The Gartzman Law Firm PC			6,027.50
2851 Henderson Mill Road	2851 Henderson Mill Road			0,027.00
Atlanta, GA 30341	Atlanta, GA 30341			
Viking Metal Productions	Viking Metal Productions			10,083.17
1014 Sampler Way Suite D	1014 Sampler Way Suite D			,
Atlanta, GA 30344	Atlanta, GA 30344			

## Case 12-75163 Doc 1 Filed 10/04/12 Entered 10/04/12 16:39:34 Desc Main Document Page 6 of 12

B4 (Offi	icial Form 4) (12/07) - Cont.		
In re	Roofing Atlanta, Inc.	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 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	October 4, 2012	Signature	/s/ Wesley B. Davenport	
			Wesley B. Davenport	

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.

AT&T
Porter & Schwartz PA
8625 Crown Crescent Ct Ste 110
Charlotte, NC 28227

Atkinson Hunt 5000 Atrium Way Suite 4 Mount Laurel, NJ 08054

Brent & Carolyn C. Hughes 2878 N. Hills Drive Atlanta, GA 30305

Cesar Omar Parras 1174 Sweetwater Circle Lawrenceville, GA 30044

City of Buford Ad Valorem Tax 2300 Buford Hwy Buford, GA 30518

CNA Continental Casualty Co 23453 Network Place Chicago, IL 60673-1234

CNA Deductible Recovery Group PO Box 6065-02 Hermitage, PA 16148-1065

Commerce & Industry Insurance Howe Law Firm PC 4385 Kimball Bridge Rd Ste 100 Alpharetta, GA 30022 Dataforma, Inc. York College Pennsylvania 401 Kings Mill Rd York, PA 17403-3651

Department of Labor 148 Andrew Young International Atlanta, GA 30303-1751

DME Properties Limited 903 Augusta Circle Woodstock Woodstock, GA 30188

Dr. Yao-Nan Wu 5150 Buford Hwy, NE A-180 Atlanta, GA 30340

Duplicating Products, Inc. PO Box 1548
Gainesville, GA 30503

Environmental Control PO Box 942056 Atlanta, GA 31141

Exarc Skylights PO Box 80628 Atlanta, GA 30366

First Insurance Funding Corp 450 Skokie Blvd Suite 1000 Northbrook, IL 60062

GA Department of Revenue

GAFMC Build 11-1 1361 Alps Road Wayne, NJ 07470

Gwinnett County Tax Comm PO Box 829 Lawrenceville, GA 30046

Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346

Jackson L. Culbreth 115 Perimeter Center Pl Suite 900 Atlanta, GA 30346

Johnson & Bryan PO Box 20138 Atlanta, GA 30325

Karl J. Howe
Howe & Associates
4385 Kimball Bridge Rd Ste 100
Alpharetta, GA 30022

M & M Waste 1328 Lakewood Pkwy Atlanta, GA 30315

N.B. Handy Jackson L. Culbreth 115 Perimeter Cnt Pl sute 900 Atlanta, GA 30346

Phoenix Crane Rental 1855 Dickerson Drive Mableton, GA 30126 Pit Stop Sanitation Services PO Box 5088 Marietta, GA 30061

Premium Assignment Corp Revenue Systems, Inc. PO Box 15257 Clearwater, FL 33766-5257

Richard M. Howe Howe & Associates 4385 Kimball Bridge Rd #100 Alpharetta, GA 30022

Robert P. Wildau Rubin & Wildau, South Tower 3333 Peachtree Rd, NE, Ste 225 Atlanta, GA 30326-1007

Saigon Deli 5150 Buford Hwy NE A-170 Atlanta, GA 30340

Southern Roof Center PO Box 100639 Atlanta, GA 30384-0639

Steven Luper, Esq. Attorney at Law 2870 Peachtree Rd, Ste 428 Atlanta, GA 30305

The Gartzman Law Firm PC 2851 Henderson Mill Road Atlanta, GA 30341

Viking Metal Productions 1014 Sampler Way Suite D Atlanta, GA 30344 Wendall Causey, CPA 515 East Crossville Road Suite 310 Roswell, GA 30075

Wesley B. Davenport 6635 Holly Springs Rd Clermont, GA 30527

Worley, Schilling & Randall 146 North Fairground Street Marietta, GA 30060

# Case 12-75163 Doc 1 Filed 10/04/12 Entered 10/04/12 16:39:34 Desc Main Document Page 12 of 12

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

In re	Roofing Atlanta, Inc.		Case No.	
	-	Debtor(s)	Chapter	11
	CORPOR	RATE OWNERSHIP STATEMEN	VT (RULE 7007.1)	
or recu is a (a	usal, the undersigned counsel for re) corporation(s), other than the	ry Procedure 7007.1 and to enable the Roofing Atlanta, Inc. in the above debtor or a governmental unit, that winterests, or states that there are no	e captioned action, directly or indirectl	certifies that the following y own(s) 10% or more of
■ Noi	ne [Check if applicable]			
	per 4, 2012	/s/ Cameron M. McCord		
Date		Cameron M. McCord	ticant	
		Signature of Attorney or Li Counsel for Roofing Atlar		
		Jones & Walden, LLC		
		21 Eighth Street, NE Atlanta, GA 30309 404-564-9300 Fax:404-564-9 Ijones@joneswalden.com	301	