

B1 (Official Form 1)(04/13)

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

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Dixie Transport Inc</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>DBA Dixie Logistics</b>	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) <b>58-1873787</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>2673 US Highway 41 NE Calhoun, GA</b> <div style="text-align: right; font-size: small;">ZIP Code <b>30721</b></div>	Street Address of Joint Debtor (No. and Street, City, and State):  <div style="text-align: right; font-size: small;">ZIP Code</div>
County of Residence or of the Principal Place of Business: <b>Gordon</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <b>PO Box 599 Resaca, GA</b> <div style="text-align: right; font-size: small;">ZIP Code <b>30735</b></div>	Mailing Address of Joint Debtor (if different from street address):  <div style="text-align: right; font-size: small;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):	

<b>Type of Debtor</b> (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Nature of Debts</b> (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.

<b>Filing Fee</b> (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> 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. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<b>Statistical/Administrative Information</b> <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.	THIS SPACE IS FOR COURT USE ONLY
<b>Estimated Number of Creditors</b> <input type="checkbox"/> 1-49 <input checked="" type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000	
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): <b>Dixie Transport Inc</b>
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**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor: <b>- None -</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;"><b>Exhibit A</b></p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I 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 under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p><b>X</b> _____ Signature of Attorney for Debtor(s) (Date)</p>
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**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 with 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)).

**Voluntary Petition**

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

Name of Debtor(s):  
**Dixie Transport Inc**

**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 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** \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Attorney\***

**X** /s/ David J. Fulton  
Signature of Attorney for Debtor(s)

David J. Fulton 6102  
Printed Name of Attorney for Debtor(s)

Scarborough, Fulton & Glass  
Firm Name

701 Market Street, Suite 1000  
Chattanooga, TN 37402

\_\_\_\_\_  
Address

**Email: DJF@sfglegal.com**

(423) 648-1880 Fax: (423) 648-1881  
Telephone Number

October 9, 2013  
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 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 bankruptcy 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.)

\_\_\_\_\_  
Address

**X** \_\_\_\_\_  
Date

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.*

**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/ Jim Brown  
Signature of Authorized Individual

Jim Brown  
Printed Name of Authorized Individual

President  
Title of Authorized Individual

October 9, 2013  
Date

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

In re **Dixie Transport Inc**

Debtor(s)

Case No.  
Chapter

**11**

**VERIFICATION OF CREDITOR MATRIX**

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **October 9, 2013**

**/s/ Jim Brown**

**Jim Brown/President**  
Signer/Title

A T & T  
c/o Southwest Credit  
4120 International PK Ste 1100  
Carrollton, TX 75007

Action Rental  
2209 Industrial South Road  
Dalton, GA 30721

Ameri Gas  
PO Box 660288  
Dallas, TX 75266

Armark  
4625 Resource Drive  
Chattanooga, TN 37416

AT & T  
PO Box 6463  
Carol Stream, IL 60197

Baily Company  
PO Box 202688  
Dallas, TX 75320

Barloworld  
PO Box 402473  
Atlanta, GA 30384

BB & T  
c/o David A. Kleber  
120 North Candler Street  
Decatur, GA 30030

Bridgeport Capital Funding LLC  
5541 N University Drive  
Suite 101  
Pompano Beach, FL 33067

Calhoun Auto Supply  
424 S. Wall St.  
PO Box 905  
Calhoun, GA 30703

Calhoun Tool & Equipment  
811 S. Wall St  
Calhoun, GA 30701

Carpet & Related Equipment  
148 Wilshire Drive  
Dalton, GA 30721

Central Insurance Co  
80 South Washington St  
PO Box 351  
Van Wert, OH 45891

Chrysan Thomas  
PO Box 1006  
13885 HWY 27  
Trion, GA 30753

Columbus Trust and Bank  
c/o Ross Gelfand, LLC  
1265 Minhinette Drive  
Roswell, GA 30075

Daimler Chrysler  
c/o Ross Gelfand, LLC  
1265 Minhinette Dr Ste 150  
Roswell, GA 30075

Damlier Chrysler  
1266 Minhnette Drive Suite 150  
Roswell, GA 30075

Deno Cole  
PO Box 57  
Knoxville, TN 37901

Diprima Marketing  
56 Direct Connection Drive  
Rossville, GA 30741

Direct TV  
PO Box 6550  
Englewood, CO 80155

Fleetpride  
PO Box 281811  
Atlanta, GA 30384

Fuelman Gas  
PO Box 105080  
Atlanta, GA 30248

GB &T  
210 West Main Street  
Cartersville, GA 30120

Global Environmental  
PO Box 2647  
Chattanooga, TN 37409

Global Parts  
PO Box 1008  
Conley, GA 30288

Gordon County Clerk of Court  
Superior Court  
101 S Piedmont St  
Calhoun, GA 30701

Gordon County Tax Commissioner  
101 S Piedmont St  
Calhoun, GA 30701

H. Greely Joiner, LLC  
PO Box 988  
Dalton, GA 30722

Husin Asadi  
150 Wood Crest Apt 420  
Saint Augustine, FL 32084

Internal Revenue Service  
PO Box 21126  
Philadelphia, PA 19114

Joann Brown-Williams  
100 Trammell Street  
Calhoun, GA 30701

Kenesaw Leasing  
c/o Woolf-McClane  
PO Box 900  
Knoxville, TN 37901

Knox County Chancery Court  
City-County Building  
400 Main Street  
Knoxville, TN 37902

Liftone  
c/o Richard M. Howe  
4385 Kimball Bridge Rd  
Alpharetta, GA 30022

Liftone  
PO Box 602757  
Charlotte, NC 28260



Liftone, LLC  
c/o Howe Law Firm  
4385 Kimball Bridge Rd Ste 100  
Alpharetta, GA 30022

M&A Calhoun Welding Supply  
PO Box 759  
Cartersville, GA 30120

McGehee & Cole  
The Stuart Building  
709 Market Street  
Knoxville, TN 37902

Mercedes Benz Financial  
PO Box 961  
Roanoke, TX 76262

MHC Kenworth  
200 E 29th St  
Chattanooga, TN 37407

Multnomah County Circuit Court  
1021 SW 4th Ave  
Portland, OR 97204

Myers Tire  
24377 Network Place  
Chicago, IL 60673

Newtek Small Business Finance, Inc.  
c/o McCullough Payne & Haan, Inc.  
271 17th St NW  
Atlanta, GA 30363

North GA Business Supply  
PO Box 364  
Dalton, GA 30722

North GA Newspaper Group  
308 S Thornton Ave  
Dalton, GA 30722

North Georgia National Bank  
350 West Belmont Drive  
PO Box 965  
Calhoun, GA 30703

Ownbey Enterprise  
PO Box 1146  
Dalton, GA 30722

Prime Rate Premium Finance Corp Inc.  
c/o David A. Kleber  
120 North Candler Street  
Decatur, GA 30030

Propane Energies Group  
1776 South Dixie Hwy  
Po Box 771  
Dalton, GA 30722

Southwest Credit  
4120 International Pkwy Suite 1100  
Carrollton, TX 75007

Synovous Bank/GA Bank & Trust  
c/o Neal Brunt  
Brunt & Hood, LLC  
210 West Main Street  
Cartersville, GA 30120

Tucker Finance  
c/o Gary M. Bullock & Assoc  
1000 SW Broadway Suite 2460  
Portland, OR 97205

Whitfield County Superior Ct  
205 N Selvidge Street  
Dalton, GA 30720

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

In re Dixie Transport Inc

Debtor(s)

Case No.  
Chapter

11

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Dixie Transport Inc in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

None [*Check if applicable*]

October 9, 2013

Date

/s/ David J. Fulton

David J. Fulton 6102

Signature of Attorney or Litigant

Counsel for Dixie Transport Inc

Scarborough, Fulton & Glass

701 Market Street, Suite 1000

Chattanooga, TN 37402

(423) 648-1880 Fax:(423) 648-1881

DJF@sfglegal.com