

**UNITED STATES BANKRUPTCY COURT**  
**Northern District of Georgia** **VOLUNTARY PETITION**

Name of Debtor (if individual, enter Last, First, Middle): <b>KRYOSPHERE, 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):	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>27-4875479</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):
Street Address of Debtor (No. and Street, City, and State): <b>3515 LAKE BREEZE LANE GAINESVILLE, GA</b> <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE 30506</div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>
County of Residence or of the Principal Place of Business: <b>HALL</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>

Location of Principal Assets of Business Debtor (if different from street address above):  
**4222 EMPEROR BLVD., SUITE 300, DURHAM, NC** ZIP CODE 27703

<b>Type of Debtor</b> (Form of Organization) (Check <b>one</b> 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 <b>one</b> 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 <b>one</b> 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
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<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 <b>one</b> 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.
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<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> <b>Check one box:</b> <input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  <b>Check if:</b> <input checked="" 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). ----- <b>Check all applicable boxes:</b> <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 checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input 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.	<b>THIS SPACE IS FOR COURT USE ONLY</b>
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input 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 type="checkbox"/> \$100,001 to \$500,000 <input checked="" 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>	<b>Document</b> Page 2 of 11 KRYOSPHERE, INC.
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**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet.)

Location Where Filed:	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:	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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b).</p> <p>X _____                  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** **Document** **Page 3 of 11**  
(This page must be completed and filed in every case.) **KRYOSPHERE, 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/ Jimmy C. Luke, II  
Signature of Attorney for Debtor(s)  
Jimmy C. Luke, II (GA Bar No. 191817)  
Printed Name of Attorney for Debtor(s)  
Martin Bagwell Luke, P.C.  
Firm Name  
400 Northridge Road, Suite 1225  
Atlanta, GA 30350  
Address  
404-467-5867  
Telephone Number  
09/02/2014  
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.)

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

X /s/ John O. Norton  
Signature of Authorized Individual  
John O. Norton  
Printed Name of Authorized Individual  
Chief Executive Officer  
Title of Authorized Individual  
09/02/2014  
Date

\_\_\_\_\_  
Address

X \_\_\_\_\_  
Signature

\_\_\_\_\_  
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.*

### RESOLUTION AUTHORIZING CHAPTER 11 FILING

The undersigned are all of the shareholders and directors of Kryosphere, Inc., a Georgia corporation (the "Company"), and the undersigned all agree and resolve as follows:

1. The Company is authorized to file a voluntary Chapter 11 bankruptcy petition in the Northern District of Georgia.
2. John O. Norton, as Chief Executive Officer, is authorized to take such steps as necessary to prosecute the Chapter 11 case, including but not limited to review and approval of motions and other documents to be filed with the Court, attendance at the 341 meeting of creditors or any 2004 examinations on behalf of the Company, and testifying at any hearing.
3. For all matters related to the Chapter 11 case, all creditors or other parties in interest may rely on the representations and testimony of John O. Norton as binding upon the Company.

So resolved this 2<sup>nd</sup> day of September, 2014.

/s/ John O. Norton  
John O. Norton  
70% shareholder  
CEO, CFO and Secretary  
Director

/s/ John P. Norton  
John P. Norton  
10% shareholder  
Director

/s/ Ryan M. Norton  
Ryan M. Norton  
10% shareholder  
Director

Jason O. Norton  
Jason O. Norton  
10% shareholder

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

IN RE: ) CHAPTER 11  
 )  
 KRYOSPHERE, INC., ) \_\_\_\_\_  
 )  
 Debtor. )

**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 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 and Fed. R. Bankr. P. 1007(m).

<i>Name and Address of Creditor</i>	<i>Contact information of employee or agent of creditor</i>	<i>Nature of claim</i>	<i>Contingent/unliquidated/disputed/setoff</i>	<i>Amount of claim</i>
Gilead Sciences, Inc. c/o Womble Carlyle Sandridge & Rice LLP PO Box 831 Raleigh, NC 27602 ATTN: Press Millen	Press Millen 919-755-2135	contract	unliquidated, disputed, setoff	5,000,000.00
Ellis & Winters LLP PO Box 33550 Raleigh, NC 27636 ATTN: Paul K. Sun, Jr.	Paul Sun 919-865-7014	legal services		47,893.87
Scientific Calibration 2518 Reliance Ave Apex, NC 27539		vendor		24,225.67

<i>Name and Address of Creditor</i>	<i>Contact information of employee or agent of creditor</i>	<i>Nature of claim</i>	<i>Contingent/unliquidated/disputed/setoff</i>	<i>Amount of claim</i>
Durham Royal Center LLC 260 Franklin Street Ste. 1520 Boston, MA 02110 Attn: Joe Van Saun		current landlord		14,561.81
Chance W. White 4222 Emperor Blvd, Ste. 300 Durham, NC 27704		independent contractor		11,160.00
Duke Energy PO Box 70516 Charlotte, NC 28272-0516		utility		7,491.54
Airgas – Dry Ice (Acct #1BYH0) PO Box 951873 Dallas, TX 75395-1873	James Beasley 919-544-8250	vendor		6,297.09
Caterpillar Financial Services PO Box 905561 Charlotte, NC 28290-5561	888-220-0408	equipment lease		5,981.49
SciCal Plus, Inc. 2518 Reliance Ave. Apex, NC 27539		vendor		4,848.25
Stericycle PO Box 6582 Carol Stream, IL 60197-6582		vendor		4,760.33
Chart Inc. P.O. Box 088968 Chicago, IL 60695-1968		vendor		3,857.27
IMS, Inc. 6110 Executive Blvd, Suite 310 Rockville, MD 20852		vendor		3,050.00
Mesa Monitor, Inc. 12100 W 6th Ave Lakewood, CO 80228		vendor		2,483.26
Crown Imperial Center, LLC P.O. Box 198623 Atlanta, GA 30384-8623	Whitney Monroe 919-281-2341	former landlord		2,144.68

<i>Name and Address of Creditor</i>	<i>Contact information of employee or agent of creditor</i>	<i>Nature of claim</i>	<i>Contingent/unliquidated/disputed/setoff</i>	<i>Amount of claim</i>
Machine & Welding Supply Co. P.O. Box 1708 Dunn, NC 28335-1708		vendor		1,684.79
Frontier (Verizon South) PO Box 20550 Rochester, NY 14602-0550		utility		1,429.00
Ronald Wenk 3713 Wavespray Ct. Gainesville, Georgia 30506	678-450-7474	independent contractor - accounting		1,300.00
Chub & Sons PO Box 382001 Pittsburgh, PA 15250-8001		workers compensation insurance		1,270.00
Rolader & Rolader PO Box 1357 Roswell, GA 30077	Don Rolader 770-442-0641	legal services		875.00
BizMaids LLC 4801 Glenwood Ave, Ste. 200 Raleigh, NC 27612		vendor		500.00

I, the Chief Executive Officer of Debtor, declare under penalty of perjury that I have read the foregoing List of Creditors Holding 20 Largest Unsecured Claims and that it is true and correct to the best of my information and belief.

This 2nd day of September, 2014.

/s/ John O. Norton  
John O. Norton

Kryosphere Creditors v2

Airgas - Dry Ice (Acct #1BYH0)  
P. O. Box 951873  
Dallas, TX 75395-1873

BizMaids, LLC  
4801 Glenwood Avenue, Suite 200  
Raleigh, NC 27612

Blue Cross and Blue Shield of NC  
P. O. Box 580017  
Charlotte, NC 28258-0017

Caterpillar Financial Services Corp.  
P. O. Box 905561  
Charlotte, NC 28290-5561

Chance W. White  
4222 Emperor Boulevard, Suite 300  
Durham, NC 27704

Chart Inc.  
P. O. Box 088968  
Chicago, IL 60695-1968

Chub & Sons  
P. O. Box 382001  
Pittsburgh, PA 15250-8001

Crown Imperial Center, LLC  
P. O. Box 198623  
Atlanta, GA 30384-8623

Duke Energy  
P. O. Box 70516  
Charlotte, NC 28272-0516

Durham County Tax Collector  
P. O. Box 3397  
Durham, NC 27702

Durham Royal Center LLC  
260 Franklin Street, Suite 1520  
Boston, MA 02110  
Attn: Joe Van Saun

Ellis and Winters LLP  
P. O. Box 33550  
Raleigh, NC 27636  
Attn: Paul Sun

Frontier (Verizon South)  
P. O. Box 20550  
Rochester, NY 14602-0550

Harris Products Group  
P. O. Box 644241  
Pittsburgh, PA 15626-4241

IMS, Inc.  
6110 Executive Boulevard, suite 310  
Rockville, MD 20852

Internal Revenue Service



Kryosphere Creditors v2

Centralized Insolvency Operation  
PO Box 7346  
Philadelphia, PA 19101-7346

Machine & Welding Supply Co.  
P. O. Box 1708  
Dunn, NC 28335-1708

Mesa Monitor Inc.  
12100 W 6th Avenue  
Lakewood, CO 80228

NC Department of Revenue  
P. O. Box 25000  
Raleigh, NC 27640-0002

NC Quick Pass  
Customer Service Center  
200 Sorrell Grove Church Road, Suite A  
Morrisville, NC 27560

NC Radiation Protection Section  
1645 Mail Service Center  
Raleigh, NC 27699-1645

NexAir - LN2  
P. O. Box 125  
Memphis, TN 38101-0125

Penske Truck Leasing  
P. O. Box 532658  
Atlanta, GA 30353-2658

Renasant Bank  
P. O. Box 4140  
Tupelo, MS 38803-4140

Rollader & Rollader  
P. O. Box 1357  
Roswell, GA 30077

Ronald Wenk  
3713 Wavespray Court  
Gainesville, GA 30506

RPJ Leasing  
3515 Lake Breeze Court  
Gainesville, GA 30506

SciCal Plus, Inc.  
2518 Reliance Avenue  
Apex, NC 27539

Scientific Calibration  
2518 Reliance Avenue  
Apex, NC 27539

Stericycle  
P. O. Box 6582  
Carol Stream, IL 60197-6582

GiLead Sciences, Inc.  
c/o Womble Carlyle Sandridge & Rice LLP

Kryosphere Creditors v2

PO Box 831  
Raleigh, NC 27602  
ATTN: Press Millen

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION**

I, the Chief Executive Officer of Debtor, declare under penalty of perjury that I have read the foregoing Creditor Matrix and that it is true and correct to the best of my information and belief.

This 2nd day of September, 2014.

/s/ John O. Norton  
John O. Norton