Case 15-42082-mgd Doc 1 Filed 09/02/15 Entered 09/02/15 10:27:47 Desc Main Document Page 1 of 11

B1 (Official Fo	orm 1)(04		TT *4 1	G4 4	D 1	4	<u> </u>	go <u> </u>				
			United Nor			ruptcy of Georg					Vol	untary Petition
	Name of Debtor (if individual, enter Last, First, Middle):  Kent C. Ellington, D.M.D., P.C.					Name	of Joint De	ebtor (Spouse)	) (Last, First	, Middle):		
All Other Nan (include marri				8 years					used by the J maiden, and			3 years
Last four digit (if more than one, s	state all)	Sec. or Indi	vidual-Taxpa	ıyer I.D. (	ITIN)/Com	plete EIN	Last fo	our digits o	f Soc. Sec. or	Individual-	Гахрауег I.	D. (ITIN) No./Complete EIN
Street Address 111 John Rome, G	Maddo	•	Street, City, a	and State)	:		Street	Address of	Joint Debtor	(No. and Str	reet, City, a	and State):
					Г	ZIP Code <b>30165</b>						ZIP Code
County of Res	sidence or	of the Princ	cipal Place o	f Business		30103	Count	y of Reside	ence or of the	Principal Pla	ace of Busi	ness:
Mailing Addre	ess of Deb	tor (if diffe	rent from str	eet addres	ss):		Mailir	ng Address	of Joint Debte	or (if differe	nt from stre	eet address):
					_	ZIP Code	<u> </u>					ZIP Code
Location of Pr (if different fr												l
	• •	Debtor				of Business	;		•	•		Under Which
<ul> <li>(Form of Organization) (Check one box)</li> <li>☐ Individual (includes Joint Debtors)</li> <li>See Exhibit D on page 2 of this form.</li> <li>☐ Corporation (includes LLC and LLP)</li> <li>☐ Partnership</li> <li>☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>			(Check one box)  ☐ Health Care Business ☐ Single Asset Real Estate as defin 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	of □ Cl	hapter 15 P a Foreign hapter 15 P	etition for Recognition Main Proceeding Petition for Recognition Nonmain Proceeding		
Chapter 15 Debtors  Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:  Other  Tax-Exempt Entity (Check box, if applicable)  Debtor is a tax-exempt organizati under Title 26 of the United State Code (the Internal Revenue Code			e) zation tates	defined "incurr	are primarily co 1 in 11 U.S.C. § ed by an indivi- onal, family, or l	(Check ensumer debts, 101(8) as dual primarily	for	Debts are primarily business debts.				
		•	heck one box	<u> </u>		1 -	one box:	11 1	Chap debtor as defin	ter 11 Debt		2)
□ 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. □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. □ Acc				Debtor is not if: Debtor's aggrate less than all applicable A plan is bein Acceptances	a small busing regate nonco \$2,490,925 (each boxes: no filed with of the plan w	ness debtor as dentingent liquida amount subject this petition.	lefined in 11 United debts (exc to adjustment	J.S.C. § 1010 cluding debts on 4/01/16				
Statistical/Administrative Information  Debtor estimates that funds will be available for distribution to unsecured credite  Debtor estimates that, after any exempt property is excluded and administrative there will be no funds available for distribution to unsecured creditors.					editors.		70. 3 1125(0).	THIS	SPACE IS	FOR COURT USE ONLY		
Estimated Num	mber of Ci 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 Ass \$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	bilities  \$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 15-42082-mgd Doc 1 Filed 09/02/15 Entered 09/02/15 10:27:47 Desc Main Document Page 2 of 11

**B1** (Official Form 1)(04/13) Page 2 Name of Debtor(s): Voluntary Petition Kent C. Ellington, D.M.D., P.C. (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 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 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)).

**B1** (Official Form 1)(04/13)

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.

 $\mathbf{X}_{-}$ 

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

#### X /s/ Leslie Pineyro

Signature of Attorney for Debtor(s)

#### Leslie Pineyro 969800

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

#### September 2, 2015

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/ Kent C. Ellington

Signature of Authorized Individual

#### Kent C. Ellington

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

#### September 2, 2015

Date

Name of Debtor(s):

Kent C. Ellington, D.M.D., P.C.

#### 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.

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.)

	_		-	
٦	٠	v	•	

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 15-42082-mgd Doc 1 Filed 09/02/15 Entered 09/02/15 10:27:47 Desc Main Document Page 4 of 11

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

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

In re	Kent C. Ellington, D.M.D., P.C.			
		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]
1st Global Capital LLC Attn: Leo Vargas 1250 E. Hallandale Blvd # 903 Hallandale, FL 33009	1st Global Capital LLC Attn: Leo Vargas 1250 E. Hallandale Blvd # 903 Hallandale, FL 33009			67,000.00 (0.00 secured)
ACH Capital as agent for Merchant Cash Cloud 11 Broadway, Suite 814 New York, NY 10004	ACH Capital as agent for Merchant Cash Cloud 11 Broadway, Suite 814 New York, NY 10004	Merchant Cash Cloud dba Capital Stack		23,000.00 (0.00 secured)
American Microloan, LLC 2125 Center Avenue, Suite 308 Fort Lee, NJ 07024	American Microloan, LLC 2125 Center Avenue, Suite 308 Fort Lee, NJ 07024			52,000.00
Bank of America, N.A. Brian T. Moyniha, CEO and Pres 101 S Tryon Street Charlotte, NC 28202	Bank of America, N.A. Brian T. Moyniha, CEO and Pres 101 S Tryon Street Charlotte, NC 28202			404,045.00 (0.00 secured)
Corporation Service Company as Representative P.O. Box 2576 Springfield, IL 62708	Corporation Service Company as Representative P.O. Box 2576 Springfield, IL 62708	(Small Business Financial Solutions, LLC dba Rapid Advance - upon information and belief)		49,000.00 (0.00 secured)
Donald Richard Ellington 799 Oak Trail Drive Marietta, GA 30062	Donald Richard Ellington 799 Oak Trail Drive Marietta, GA 30062	Loan		170,000.00
Elevate Funding, LLC Attn: Heather Francis 1776 Park Avenue, Suite 4 Park City, UT 84060	Elevate Funding, LLC Attn: Heather Francis 1776 Park Avenue, Suite 4 Park City, UT 84060			21,000.00 (0.00 secured)
Expansion Capital Group, LLC Attn: Mary Gergen 6001 S Sharon Ave, Suite 6 Sioux Falls, SD 57108	Expansion Capital Group, LLC Attn: Mary Gergen 6001 S Sharon Ave, Suite 6 Sioux Falls, SD 57108	Loan		41,000.00

# Case 15-42082-mgd Doc 1 Filed 09/02/15 Entered 09/02/15 10:27:47 Desc Main Document Page 5 of 11

	cial Form 4) (12/07) - Cont.		
In re	Kent C. Ellington, D.M.D., P.C.	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]
Ironwood Finance, Inc.	Ironwood Finance, Inc.			59,500.00
Attn: Kevin Donahue 800 N. Shorelind Dr Ste 2460 Corpus Christi, TX 78401	Attn: Kevin Donahue 800 N. Shorelind Dr Ste 2460 Corpus Christi, TX 78401			(0.00 secured)
National Funding, Inc.	National Funding, Inc.			28,000.00
Attn: Sandra Otero 9820 Town Centre Dr, Ste 200 San Diego, CA 92121	Attn: Sandra Otero 9820 Town Centre Dr, Ste 200 San Diego, CA 92121			(0.00 secured)
NuLook Capital, LLC Attn: Melinda Szollosi 5550 Merrick Rd Massapequa, NY 11758	NuLook Capital, LLC Attn: Melinda Szollosi 5550 Merrick Rd Massapequa, NY 11758	Loan		35,000.00
Pan American Bank	Pan American Bank	(Banker's		162,000.00
2627 W. Cermak Road Chicago, IL 60608	2627 W. Cermak Road Chicago, IL 60608	Healthcare Group - upon information and belief)		(0.00 secured)
Power Up Lending Group,	Power Up Lending Group, Ltd.			145,000.00
Ltd.	Attn: Seth Kramer			(0.00 1)
Attn: Seth Kramer 111 Great Neck Road, Ste 216 Great Neck, NY 11021	111 Great Neck Road, Ste 216 Great Neck, NY 11021			(0.00 secured)
QuarterSpot, Inc. Attn: Loretta Scott 1655 N Fort Myer Dr. Suite 736 Arlington, VA 22209	QuarterSpot, Inc. Attn: Loretta Scott 1655 N Fort Myer Dr. Suite 736 Arlington, VA 22209	Loan		35,000.00
SOS, Strategy Outsource	SOS, Strategy Outsource	(Fundation - upon		94,144.59
Solutions, as Representative P.O. Box 288 Tonawanda, NY 14151	Solutions, as Representative P.O. Box 288 Tonawanda, NY 14151	information and belief)		(0.00 secured)
Timberland Bank 624 Simpson Ave Hoquiam, WA 98550	Timberland Bank 624 Simpson Ave Hoquiam, WA 98550	For (UCC Corporation Service Company 10/24/2014 # 038-2014-010014) (also known as ARF Financial LLC)		48,300.00
World Global Financing, Inc.	World Global Financing, Inc.			21,000.00
Attn: Mr.Torres & A. Isalgue 141 NE 3rd Ave., Floor 12 Miami, FL 33132	Attn: Mr.Torres & A. Isalgue 141 NE 3rd Ave., Floor 12 Miami, FL 33132			(0.00 secured)
Yellowstone Capital, LLC Attn: Steven Davis 160 Pearl Street	Yellowstone Capital, LLC Attn: Steven Davis 160 Pearl Street			24,000.00
New York, NY 10005	New York, NY 10005			

# Case 15-42082-mgd Doc 1 Filed 09/02/15 Entered 09/02/15 10:27:47 Desc Main Document Page 6 of 11

	cial Form 4) (12/07) - Cont.		
In re	Kent C. Ellington, D.M.D., P.C.	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]

# 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	September 2, 2015	Signature	/s/ Kent C. Ellington
			Kent C. Ellington
			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.

1st Global Capital LLC Attn: Leo Vargas 1250 E. Hallandale Blvd # 903 Hallandale, FL 33009

2Dollar Capital LLC 3411 Silverside Road, Bld 104 Wilmington, DE 19810

ACH Capital as agent for Merchant Cash Cloud 11 Broadway, Suite 814 New York, NY 10004

Albert C. Crawford, CEO Banker's Healthcare Group, Inc 4875 Volunteer Rd, Suite 100 Fort Lauderdale, FL 33330

American Microloan, LLC 2125 Center Avenue, Suite 308 Fort Lee, NJ 07024

ARF Financial LLC fka Advance Restaurant Finance, LLC 3 Waters Park Dr., Suite 231 San Mateo, CA 94403

Bank of America, N.A. Brian T. Moyniha, CEO and Pres 101 S Tryon Street Charlotte, NC 28202

Banker's Healthcare Group, Inc Attn: Jordan Barzee 4875 Volunteer Rd Ste 100 Southwest Ranches, FL 33330 C T Corporation System, as Rep 330 N Brand Blvd, Suite 700 Attn: SPRS Glendale, CA 91203

Corporation Service Company as Representative P.O. Box 2576 Springfield, IL 62708

Cyril Eskennazi, CEO World Global Financing Inc 99 Biscayne Blvd, Ste 503 Miami, FL 33132

Donald Richard Ellington 799 Oak Trail Drive Marietta, GA 30062

Eagle Phillips, LLC dba Merchant Cash Cloud 2500 NW 79th Ave, Ste 190 Miami, FL 33122

Elevate Funding, LLC Attn: Heather Francis 1776 Park Avenue, Suite 4 Park City, UT 84060

Expansion Capital Group, LLC Attn: Mary Gergen 6001 S Sharon Ave, Suite 6 Sioux Falls, SD 57108

Fundation Group, LLC Attn: Jillian Quinn 9 E 37th Street, 2nd Floor New York, NY 10016 Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346

Ironwood Finance, Inc. Attn: Kevin Donahue 800 N. Shorelind Dr Ste 2460 Corpus Christi, TX 78401

Lendini 884 Town Center Drive Langhorne, PA 19047

Loretta Lynch, US Attny General 950 Pennsylvania Avenue, NW Washington, DC 20530

Lynne Riley State of Georgia Revenue Commi 1800 Century Blvd, N.E. Atlanta, GA 30345

National Funding, Inc. Attn: Sandra Otero 9820 Town Centre Dr, Ste 200 San Diego, CA 92121

New Era Lending LLC North Orange Street Suite 762 Wilmington, DE 19801

NuLook Capital, LLC Attn: Melinda Szollosi 5550 Merrick Rd Massapequa, NY 11758 Pan American Bank 2627 W. Cermak Road Chicago, IL 60608

Power Up Lending Group, Ltd. Attn: Seth Kramer 111 Great Neck Road, Ste 216 Great Neck, NY 11021

QuarterSpot, Inc. Attn: Loretta Scott 1655 N Fort Myer Dr. Suite 736 Arlington, VA 22209

Sam Olens Attorney General of Georgia 40 Capitol Square, SW Atlanta, GA 30334

Small Business Financial Solut dba Rapid Advance 7316 Wisconsin Ave. Suite 350 Bethesda, MD 20814

SOS, Strategy Outsource Solutions, as Representative P.O. Box 288 Tonawanda, NY 14151

Steven D. Glenn, CEO ARF Financial LLC 3 Waters Park Dr Ste 231 San Mateo, CA 94403

Timberland Bank 624 Simpson Ave Hoquiam, WA 98550

U.S. Attorney 1800 Richard Russell Building 75 Spring Street, SW Atlanta, GA 30303

World Global Financing, Inc. Attn: Mr.Torres & A. Isalgue 141 NE 3rd Ave., Floor 12 Miami, FL 33132

Yellowstone Capital, LLC Attn: Steven Davis 160 Pearl Street New York, NY 10005