

United States Bankruptcy Court for the:

Northern District of Georgia

Case number (if known):

Chapter you are filing under:

- Chapter 7
- Chapter 11
- Chapter 12
- Chapter 13

Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name EMBA Transportation, Inc.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names, and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 27-2805388

4. Debtor's address

<p>Principal place of business</p> <p><u>2420 Kinmor Industrial Parkway</u> Number Street</p> <hr/> <p><u>Conyers GA 30012</u> City State ZIP Code</p> <hr/> <p><u>Rockdale County</u> County</p>	<p>Mailing address, if different from principal place of business</p> <p>_____ Number Street</p> <hr/> <p>P.O. Box _____</p> <hr/> <p>_____ City State ZIP Code</p> <hr/> <p>Location of principal assets, if different from principal place of business</p> <p>_____ Number Street</p> <hr/> <p>_____ City State ZIP Code</p>
--	--

5. Debtor's website (URL) _____

6. Type of debtor
 Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
 Partnership (excluding LLP)
 Other. Specify: _____

Debtor EMBA Transportation, Inc.
Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply:

- Tax-exempt entity (as described in 26 U.S.C. § 501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.

See <http://www.naics.com/search/>.

484120

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9
- Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

No

Yes. District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

No

Yes. Debtor _____ Relationship _____

District _____ When _____
MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known _____

Debtor EMBA Transportation, Inc. Case number (if known) _____
 Name

11. **Why is the case filed in this district?** *Check all that apply:*
 Debtor has had its domicile, 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.
 A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. **Does the debtor own or have possession of any real property or personal property that needs immediate attention?** No
 Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? *(Check all that apply.)*
 It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
 What is the hazard? _____
 It needs to be physically secured or protected from the weather.
 It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
 Other _____

Where is the property? _____
 Number Street

 City State ZIP Code

Is the property insured?
 No
 Yes. Insurance agency _____
 Contact name _____
 Phone _____

Statistical and administrative information

13. **Debtor's estimation of available funds** *Check one:*
 Funds will be available for distribution to unsecured creditors.
 After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. **Estimated number of creditors**
 1-49 1,000-5,000 25,001-50,000
 50-99 5,001-10,000 50,001-100,000
 100-199 10,001-25,000 More than 100,000
 200-999

15. **Estimated assets**
 \$0-\$50,000 \$1,000,001-\$10 million \$500,000,001-\$1 billion
 \$50,001-\$100,000 \$10,000,001-\$50 million \$1,000,000,001-\$10 billion
 \$100,001-\$500,000 \$50,000,001-\$100 million \$10,000,000,001-\$50 billion
 \$500,001-\$1 million \$100,000,001-\$500 million More than \$50 billion

Debtor EMBA Transportation, Inc.
Name

Case number (if known) _____

16. Estimated liabilities
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11/06/2018
MM / DD / YYYY

X /s/ Elmir Kocan
Signature of authorized representative of debtor

Title President

Elmir Kocan
Printed name

18. Signature of attorney

X /s/ Will Geer
Signature of attorney for debtor

Date 11/06/2018
MM / DD / YYYY

Will Geer
Printed name

Wiggam & Geer, LLC
Firm name

50 Hurt Plaza, SW, Suite 1245
Number Street

Atlanta GA 30303
City State ZIP Code

6785878740 wgeer@wiggamgeer.com
Contact phone Email address

940493 GA
Bar number State

Fill in this information to identify the case:

Debtor name EMBA Transportation, Inc.

United States Bankruptcy Court for the: Northern District of Georgia

Case number (if known): _____

Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Electronic Funds Source, LLC 1104 Country Hills Drive Suite 700 Ogden, UT, 84403		Suppliers or Vendors				78,000.00
2	First Insurance Funding Corp 450 Skokie Boulevard, Suite 1000 Northbrook, IL, 60062		Monies Loaned / Advanced				27,404.00
3	Pilot Travel Centers, LLC The Corporation Trust Company CORPORATION TRUST CENTER 1209 ORANGE ST Wilmington, DE, 19801		Credit Card Debt				26,997.31
4	Axon Development Corporation c/o The Company Corporation 251 Little Falls Drive Wilmington, DE, 19808		Suppliers or Vendors				8,000.00
5	Help, Inc. 510 Parkland Drive Sandy, UT, 84070						7,831.02
6	Comdata 5301 Maryland Way Brentwood, TN, 37027		Credit Card Debt				1,782.79
7	Penske Truck Leasing Route 10 Green Hills PO Box 391 Reading, PA, 19603			Disputed			0.00
8	AIM Transportation Solutions 1500 Trumbull Avenue Girard, OH, 44420			Disputed			0.00

Debtor EMBA Transportation, Inc.
Name _____

Case number (if known) _____

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	Murphy-Hoffman Company, Inc 1524 North Corrington Street Kansas City, MO, 64120			Disputed			0.00
10	Quality Leasing 9702 East 30th Street Indianapolis, IN, 46229						0.00
11	Unifi Equipment Finance 3893 Research Park Dr. Ann Arbor, MI, 48108			Disputed			0.00
12							
13							
14							
15							
16							
17							
18							
19							
20							

United States Bankruptcy Court

IN RE:

Case No. _____

EMBA Transportation, Inc.

Chapter 11

LIST OF EQUITY SECURITY HOLDERS

Registered name and last known address of security holder	Shares (Or Percentage)	Security Class (or kind of interest)
Elmir Kocan 2420 Kinmor Industrial Parkway, Conyers, GA 30012	100	

Certified Copy of Resolutions Adopted

By the President of EMBA Transportation, Inc.

(Authorizing Chapter 11 Petition by EMBA Transportation, Inc.)

I, Elmir Kocan, President of EMBA Transportation, Inc., (hereinafter "Company"), do hereby certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Board of Directors of the COMPANY held November 5, 2018, wherein all the directors of the COMPANY appeared and that such resolutions have not been amended or rescinded and are now in full force and effect:

RESOLVED, that the filing by the Company of a petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Georgia is hereby APPROVED;

FURTHER RESOLVED, that the members/president of the Company are retroactively authorized and directed to file on behalf of the Company a petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Georgia;

FURTHER RESOLVED, that the members of the Company be, and each of them hereby is authorized to retain on behalf of the Company the Wiggam & Geer, LLC, and other counsel as they see fit, to render legal services to, and to represent the Company in connection therewith, on such terms as such officer or officers shall approve;

FURTHER RESOLVED, that the members of the Company be, and each of them hereby is, authorized and directed to take any and all such further action and to execute and deliver any and all such further instruments and documents and to pay all such expenses, in the case as in his, her, or their judgment shall be necessary or desirable to fully carry out the intent and accomplish the purposes of the resolutions adopted hereby; and

FURTHER RESOLVED: That the President, Elmir Kocan, is hereby authorized and empowered to execute petitions, instruments and other documents and to take or cause to be taken such proceedings as may be necessary to secure to COMPANY any and all relief that it may be entitled to under Chapter 11 of said Code.

FURTHER RESOLVED, that all acts lawfully done or actions lawfully taken by any officer or officers of the Company in connection with the reorganization of the Company or any matter related thereto or by virtue of these resolutions is hereby in all respects ratified, confirmed and approved.

WITNESS my hand and the seal of the Company this 5th day of November, 2018.

/s/ Elmir Kocan

By: Elmir Kocan, President
EMBA Transportation Inc.

6th Avenue Capital
420 Lexington Avenue 24th Floor
New York, NY 10170

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

800fund.com, LLC
30 Broad St 28th Floor
New York, NY 10004

Freight Factoring Specialists, LLC
3284 N. 29th Ct.
Hollywood, FL 33020

AIM Transportation Solutions
1500 Trumbull Avenue
Girard, OH 44420

Help, Inc.
510 Parkland Drive
Sandy, UT 84070

Axon Development Corporation
c/o The Company Corporation
251 Little Falls Drive
Wilmington, DE 19808

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

Comdata
5301 Maryland Way
Brentwood, TN 37027

JB&B Capital, LLC
1111 Northshore Drive P-270
Knoxville, TN 37919

Commercial Credit Group
227 West Trade St. Suite 1450
Charlotte, NC 28202

Murphy-Hoffman Company, Inc
1524 North Corrington Street
Kansas City, MO 64120

Electronic Funds Source, LLC
1104 Country Hills Drive Suite 700
Ogden, UT 84403

New State Capital Partners
2001 Palmer Ave Suite 205
Larchmont, NY 10538

Penske Truck Leasing
Route 10 Green Hills
PO Box 391
Reading, PA 19603

Pilot Travel Centers, LLC
The Corporation Trust Company
CORPORATION TRUST CENTER 1209 ORANGE ST
Wilmington, DE 19801

Quality Leasing
9702 East 30th Street
Indianapolis, IN 46229

Retail Capital, LLC
1250 Kirts Blvd, Suite 100
Troy, MI 48084

Sterling National Bank
400 Rella Blvd
Montebello, NY 10901

Unifi Equipment Finance
3893 Research Park Dr.
Ann Arbor, MI 48108

United States Bankruptcy Court
Northern District of Georgia

In re: EMBA Transportation, Inc.

Case No.

Debtor(s)

Chapter 11

Verification of Creditor Matrix

The above-named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: 11/06/2018

/s/ Elmir Kocan

Signature of Individual signing on behalf of debtor

President

Position or relationship to debtor