

United States Bankruptcy Court Southern District of Georgia						Voluntary Petition					
Name of Debtor (if individual, enter Last, First, Middle): Dixie Excavating, Inc.						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) No./Complete EIN(if more than one, state all): 58-1496697						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. & Street, City, and State): 112 Airport Park Drive Garden City, GA						Street Address of Joint Debtor (No. & Street, City, and State):					
ZIP CODE 31408						ZIP CODE					
County of Residence or of the Principal Place of Business: Chatham						County of Residence or of the Principal Place of Business:					
Mailing Address of Debtor (if different from street address): Post Office Box 7724 Garden City, GA						Mailing Address of Joint Debtor (if different from street address):					
ZIP CODE 31418						ZIP CODE					
Location of Principal Assets of Business Debtor (if different from street address above): 112 Airport Park Drive, Garden Cit											
ZIP CODE y, GA											
Type of Debtor (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.) 				Nature of Business (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 type="checkbox"/> Other <hr/> Tax-Exempt Entity (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.)				Chapter of Bankruptcy Code Under Which the Petition is Filed (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 Nature of Debts (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.			
Filing Fee (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.						Chapter 11 Debtors Check one box: <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). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. ----- 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).					
Statistical/Administrative Information <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.										THIS SPACE IS FOR COURT USE ONLY	
Estimated Number of Creditors <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											
Estimated Assets <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											
Estimated Liabilities <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											

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

Name of Debtor(s):

Dixie Excavating, Inc.**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet.)

Location

Where Filed: **NONE**

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:

NONE

Case Number:

Date Filed:

District:

Relationship:

Judge:

Exhibit A

(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.)

☒ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

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).

☒ **Not Applicable**

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)).

Voluntary Petition

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

Name of Debtor(s):

Dixie Excavating, 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 Not Applicable

Signature of Debtor

X Not Applicable

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 § 1515 of title 11 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X Not Applicable

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

Signature of Attorney**X s/ Jon A. Levis**

Signature of Attorney for Debtor(s)

Jon A. Levis Bar No. 448848

Printed Name of Attorney for Debtor(s) / Bar No.

Merrill & Stone, LLC

Firm Name

Post Office Box 129 Swainsboro, GA 30401

Address

478-237-7029

Telephone Number

478-237-9211**7/6/2009**

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 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.

Not Applicable

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 Not Applicable

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

X s/ John G. Williams, Jr.

Signature of Authorized Individual

John G. Williams, Jr.

Printed Name of Authorized Individual

President

Title of Authorized Individual

7/6/2009

Date

UNITED STATES BANKRUPTCY COURT
Southern District of Georgia

In re: **Dixie Excavating, Inc.**
Debtor

Case No.
Chapter **11**

Exhibit "A" to Voluntary Petition

1. If any of debtor's securities are registered under section 12 of the Securities and Exchange Act of 1934, the SEC file number is .
2. The following financial data is the latest available information and refers to debtor's condition on .
- a. Total assets \$ **1,277,700.00**
- b. Total debts (including debts listed in 2.c., below) \$ **1,631,217.30**

Approximate
number of
holders

- | | | | |
|----|--|--|----------|
| c. | Debt securities held by more than 500 holders. | | |
| | <div style="display: flex; justify-content: space-between; padding: 0 10px;"> secured unsecured subordinated </div> | | |
| d. | Number of shares of preferred stock | | |
| e. | Number of shares of common stock | | 1 |

Comments, if any:

3. Brief description of debtor's business:
Site development contractor.
4. List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:
John G. Williams, Jr.

United States Bankruptcy Court
Southern District of Georgia

In re:

Case No. _____

Chapter 11

Dixie Excavating, Inc.

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **John G. Williams, Jr.**, declare under penalty of perjury that I am the **President of Dixie Excavating, Inc.**, a **Georgia** Corporation and that on **07/01/2009** the following resolution was duly adopted by the **John G. Williams, Jr.** of this Corporation:

"Whereas, it is in the best interest of this Corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **John G. Williams, Jr.**, **President** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a Chapter 11 voluntary bankruptcy case on behalf of the Corporation; and

Be It Further Resolved, that **John G. Williams, Jr.**, **President** of this Corporation, is authorized and directed to appear in all bankruptcy proceedings on behalf of the Corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Corporation in connection with such bankruptcy case; and

Be It Further Resolved, that **John G. Williams, Jr.**, **President** of this Corporation, is authorized and directed to employ **Jon A. Levis**, attorney and the law firm of **Merrill & Stone, LLC** to represent the Corporation in such bankruptcy case."

Executed on: 7/6/2009

Signed: s/ John G. Williams, Jr.
John G. Williams, Jr.

B4 (Official Form 4) (12/07)

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

In re Dixie Excavating, Inc., Case No. _____
Debtor Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i>	(5) <i>Amount of claim [if secured also state value of security]</i>
Buck's Equipment Service, Inc. 81 Godley Road Bloomington, GA 31302				\$1,960.00
Sea Island Bank P.O. Box 568 Statesboro, GA 30458				\$4,180.36
				SECURED VALUE: \$55,000.00
Komatsu Financial P.O. Box 5050 Rolling Meadows, IL 60008				\$1,312.00
				SECURED VALUE: \$60,000.00
De Lage Landen Financial Services, Inc. 111 Old Eagle School Road Wayne, PA 19087				\$78,518.10
				SECURED VALUE: \$119,000.00
Chatham Co. Tax Commissioner P.O. Box 9827 Savannah, GA 31412				\$6,950.35
CNH Capital P.O. Box 3600 Lancaster, PA 17604-3600				\$133,347.17

B4 (Official Form 4) (12/07)4 -Cont.

In re Dixie Excavating, Inc., Case No. _____
 Debtor Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i>	<i>Amount of claim [if secured also state value of security]</i>
Georgia Surveyors Exchange Co, Inc. 101-A North Gamble Road Savannah, GA 31405				\$859.77
Consolidated Pipe & Supply, Co., Inc. c/o Smith, Currie & Hancock, LLP 2700 Marquis One Tower 245 Peachtree Center Ave., NE Atlanta, GA 30303-1227				\$148,532.84
Swinson and Haynes, P.C. P.O. Box 7897 Savannah, GA 31418				\$6,987.50
American Express P.O. Box 981540 El Paso, TX 79998-1540				\$1,000.00
Atlantic Coastal Equipment 922 Longwood Drive Richmond Hill, GA 31324				\$810.00
Bill Moore Supply P.O. Box 2327 Savannah, GA 31402				\$573.66

B4 (Official Form 4) (12/07)4 -Cont.

In re Dixie Excavating, Inc., Case No. _____
 Debtor Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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#5119 HD Supply PLBG Savannah P.O. Box 934753 Atlanta, GA 31193-4752				\$22.31
Great Southern Constr. Eq., Co. 1023 S. 50th Street Tampa, FL 33619				\$293.93
Ford Motor Credit Box 105697 Atlanta, GA 30348-5697				\$7,850.00
				SECURED VALUE: \$10,600.00
City of Garden City P.O. Box 7548 Garden City, GA 31408				\$454.00
City of Savannah P.O. Box 1968 Savannah, GA 31402-1968				\$2,834.75
Coastal Ice Machine 2711 Whatley Avenue Savannah, GA 31404				\$535.00

B4 (Official Form 4) (12/07)4 -Cont.

In re Dixie Excavating, Inc., Case No. _____
 Debtor Chapter 11

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City Electric Supply Co. 101 Airport Park Drive Garden City, GA 31408				\$138.03
Cummins South 5125 Highway 85 Atlanta, GA 30349				\$4,995.42
Ditch Witch of South GA 5430 GA Hwy. 85 Forest Park, GA 30297				\$671.39
EMC Engineering Services, Inc. P.O. Box 8101 Savannah, GA 31412				\$135.00
EnMark P.O. Box 728 Savannah, GA 31402				\$2,905.19
FCCI Insurance Group P.O. Box 58005 Sarasota, FL 34232-0801				\$5,220.00

B4 (Official Form 4) (12/07)4 -Cont.

In re Dixie Excavating, Inc., Case No. _____
 Debtor Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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G & P Erosion Control, LLC P.O. Box 846 Springfield, GA 31329				\$4,000.00
Atlantic, Inc. 100 Timber Trail Suite 101 Richmond Hill, GA 31324				\$2,137.50
GCR Tire Centers 2841 Hwy. 80 West Garden City, GA 314058				\$1,044.99
American Express P.O. Box 981540 El Paso, TX 79998-1540				\$7,251.11
HD Supply White Cap Constr Supply P.O. Box 535209 Atlanta, GA 30353-5209				\$1,215.06
James Oxygen & Supply Company P.O. Box 159 Hickory, NC 28603-0159				\$372.38

B4 (Official Form 4) (12/07)4 -Cont.

In re Dixie Excavating, Inc., Case No. _____
 Debtor Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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L&L Utilities, Inc. 746 Robert Webb Road Dublin, GA 31021				\$2,443.50
Oldcastle Precast, Inc. P.O. Box 402721 Atlanta, GA 30384-2721				\$2,000.00
Protection Services, Inc. 635 Lucknow Road Harrisburg, PA 17110				\$2,851.55
Maxwell Systems, Inc. 5310 Clark Road Suite 201 Sarasota, FL 34233				\$1,500.00
Remediation Resources, Inc. P.O. Box 1620 Pembroke, GA 31321				\$12,959.02
Rental Uniform P.O. Box 40937 North Charleston, SC 29423				\$320.05

B4 (Official Form 4) (12/07)4 -Cont.

In re Dixie Excavating, Inc., Case No. _____
 Debtor Chapter 11

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Reynolds-Warren Eq., Co., Inc. 1945 Forest Parkway Lake City, GA 30260				\$3,459.63
Jerry D. Rushing Construction Co., Inc. 712 Elmer Phillips Road Statesboro, GA 30453				\$34,171.50
Bulloch Port-A-Potty, Inc. 1034 Kelly Road Statesboro, GA 30461				\$256.80
Savannah Drive Line P.O. Box 9881 Savannah, GA 31402				\$37.45
Sanders Trucking Co., Inc. 369 Langston chapel Road Statesboro, GA 30458				\$162,566.68
Schaeffer's Mfg., Co. Dept. 3518 P.O. Box 790100 St. Louis, MO 63179-0100				\$926.72

B4 (Official Form 4) (12/07)4 -Cont.

In re Dixie Excavating, Inc., Case No. _____
 Debtor Chapter 11

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Southeast Engineering and Environmental P.O. Box 1749 Rincon, GA 31326				\$700.00
Strickland Oil Company Box G Pooler, GA 31322				\$38,030.83
Sunbelt Rentals, Inc. P.O. Box 406211 Atlanta, GA 30384-9211				\$470.70
Thompson Pump & Manufact. P.O. Box 291370 Post Orange, FL 32129-1370				\$69.81
Trader Media P. O. Box 3096 Norfolk, VA 23514-3096				\$120.00
United Rentals Southeast LP 6125 Lakeview Road Suite 300 Charlotte, NC 28269				\$1,409.71

B4 (Official Form 4) (12/07)4 -Cont.

In re Dixie Excavating, Inc., Case No. _____
 Debtor Chapter 11

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HD Supply Waterworks, LTD P.O. Box 100467 Atlanta, GA 30384-0467				\$1,753.77
Whitaker Laboratory, Inc. P.O. Box 7078 Savannah, GA 31418				\$820.00
Y-Delta, Inc. 5657 Lakeview Road Statesboro, GA 30461				\$56,849.00
Schaffner Cleaning Services, Inc. P.O. Box 7526 Garden City, GA 31418				\$2,795.00
Georgia Surveyors Exchange 101-A N. Gamble Road Savannah, GA 31405				\$537.75

B4 (Official Form 4) (12/07)4 -Cont.

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 Debtor Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, John G. Williams, Jr., 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: 7/6/2009

Signature: s/ John G. Williams, Jr.

John G. Williams, Jr. ,President

(Print Name and Title)

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.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA**

In re:

Dixie Excavating, Inc.

Case No. _____

Chapter 11

Debtor.

CERTIFICATION OF CREDITOR MAILING MATRIX

The purpose of the Certification of Creditor Mailing Matrix form is to certify that the creditor information provided on the diskette (or by ECF submission) matches exactly the creditor information provided on the schedules. Accordingly, I hereby certify under penalty of perjury that the master mailing list of creditors submitted on computer diskette or electronically via the CM/ECF system is true, correct, and complete listing to the best of my knowledge and that the names and number of creditors provided on the diskette/ECF submission corresponds exactly to the creditor information listed on the schedules.

I further acknowledge that (1) the accuracy and completeness in preparing the creditor listing are the shared responsibility of the debtor and the debtor's attorney; (2) the court will rely on the creditor listing for all mailings; (3) the various schedules and statements required by the Bankruptcy Rules are not used for mailing purposes; and (4) that debtor, attorney and trustee information is not included on this diskette or electronic submission.

The master mailing list of creditors is submitted via:

- ☐ computer diskette listing a total of _____ creditors which corresponds exactly to the schedules; or
- ☒ electronic means (ECF) listing a total of **63** creditors which corresponds exactly to the schedules.

s/ John G. Williams, Jr. _____

John G. Williams, Jr.

Debtor

s/ Jon A. Levis _____

Jon A. Levis

Attorney for Debtor(s)

Date: **7/6/2009** _____

Revised: 10/05

EXHIBIT 1

B 203
(12/94)UNITED STATES BANKRUPTCY COURT
Southern District of GeorgiaIn re: Dixie Excavating, Inc.

Debtor

Case No. _____

Chapter

11**DISCLOSURE OF COMPENSATION OF ATTORNEY
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>10,000.00</u>
Prior to the filing of this statement I have received	\$	<u>0.00</u>
Balance Due	\$	<u>10,000.00</u>

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e) [Other provisions as needed]

None

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

Plus \$275.00 per hour for additional related work or such other rate is allowed by the Court.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 7/6/2009

s/ Jon A. Levis

Jon A. Levis, Bar No. 448848

Merrill & Stone, LLC

Attorney for Debtor(s)