B1 (Official Form 1) (4/10) Case: 10-30384-SDB Doc#:1 Filed:07/23/10 Page:1 of 8 **United States Bankruptcy Court Voluntary Petition** Southern District of Georgia Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Universal USA, Inc. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): **Dairy Queen of Soperton** Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more than than one, state all): 72-1363379 one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 3973 East Main Street Soperton, GA ZIP CODE ZIP CODE 30457 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Treutlen Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): Post Office Box 45 Soperton, GA ZIP CODE ZIP CODE 30457 ocation of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Chapter of Bankruptcy Code Under Which Type of Debtor Nature of Business (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box.) ☐ Health Care Business ☐ Chapter 15 Petition for Chapter 7 Single Asset Real Estate as defined in 11 Recognition of a Foreign Individual (includes Joint Debtors) Chapter 9 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding Railroad V Chapter 11 Corporation (includes LLC and LLP) V ☐ Chapter 15 Petition for Stockbroker Partnership Chapter 12 Recognition of a Foreign ☐ Commodity Broker Other (If debtor is not one of the above entities, Nonmain Proceeding Chapter 13 Clearing Bank check this box and state type of entity below.) Nature of Debts ✓ Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose.' Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). ☑ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). 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. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on Filing Fee waiver requested (applicable to chapter 7 individuals only). Must 4/01/13 and every three years thereafter). attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes 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). THIS SPACE IS FOR Statistical/Administrative Information COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors $\mathbf{\Lambda}$ \Box \Box \Box 100-200-5,001-1,000-10,001-25,001-50,001-50-Over 199 49 99 999 5.000 10.000 25,000 50.000 100.000 100,000 Estimated Assets $\mathbf{\Lambda}$ \$100,000,001 \$50,001 to \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$0 to \$500,000,001 More than \$1 to \$100 \$50,000 \$100,000 to \$500 \$500,000 to \$10 to \$50 to \$1 billion billion \$1

million

to \$100

million

\$10,000,001 \$50,000,001

million

million

\$100,001 to

\$500,000

Estimated Liabilities

\$50,000 \$100,000

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\$50,001 to

million

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to \$10

million

\$500,001 to \$1,000,001

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to \$50

million

million

to \$500

million

\$100,000,001

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\$500,000,001

to \$1 billion

More than \$1

B1 (Official Form 1) (4/10)	:1 Filed:07/23/10	Page:2 of 8	FORM B1, Page 2
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Universal USA, Inc.		
All Prior Bankruptcy Cases Filed Within La	st 8 Years (If more than two, attac	h additional sheet.)	
Location Where Filed: NONE	Case Number:	Date Fil	led:
Location Where Filed:	Case Number:	Date File	ed:
Pending Bankruptcy Case Filed by any Spouse, Partner o	or Affiliate of this Debtor (If more	e than one, attach additional sh	neet)
Name of Debtor: NONE	Case Number:	Date Fil	ed:
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.)		[he or she] may proceed unde es Code, and have explained ther. I further certify that I have of	n, declare that I or chapter 7, 11, he relief
Exhibit A is attached and made a part of this petition.	X Not Applicable Signature of Attorney for	or Debtor(s) Da	ate
Ex	l hibit C		
Does the debtor own or have possession of any property that poses or is alleged to pose a Yes, and Exhibit C is attached and made a part of this petition. No	threat of imminent and identifiable	harm to public health or safety	ψ?
Ext	nibit D		
(To be completed by every individual debtor. If a joint petition is filed, each spouse mus	t complete and attach a separate Ex	hibit D.)	
Exhibit D completed and signed by the debtor is attached and made a part of t	his 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. ding the Debtor - Venue		
	applicable box)		
Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180			iately
There is a bankruptcy case concerning debtor's affiliate. general pa	artner, or partnership pending in this	s District.	
Debtor is a debtor in a foreign proceeding and has its principal pla has no principal place of business or assets in the United States but this District, or the interests of the parties will be served in regard	t is a defendant in an action or proce		
Certification by a Debtor Who Resident (Check all approximation)	des as a Tenant of Resident oplicable boxes.)	ial Property	
Landlord has a judgment against the debtor for possession of debtor	or's residence. (If box checked, comp	plete the following).	
	(Name of landlord that obtained jud	dgment)	
	(Address of landlord)		
Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possession			the
Debtor has included in this petition the deposit with the court of a filing of the petition.	ny rent that would become due during	ng the 30-day period after the	
Debtor certifies that he/she has served the Landlord with this certi-	fication. (11 U.S.C. § 362(1)).		

31 (Official Form 1) (4/10)	:1 Filed:07/23/10 Page:3 of 8 FORM B1, Page:3	ge 3			
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Universal USA, Inc.				
Sign	natures				
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative				
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.	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	X Not Applicable				
Signature of Debtor	(Signature of Foreign Representative)				
X Not Applicable Signature of Joint Debtor	(Printed Name of Foreign Representative)				
	(Timed Tame of Foreign Representative)				
Telephone Number (If not represented by attorney)					
Date	Date				
Signature of Attorney	Signature of Non-Attorney Petition Preparer	\neg			
X s/ Jesse C. Stone					
Signature of Attorney for Debtor(s)	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				
Jesse C. Stone Bar No. 684325	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				
Printed Name of Attorney for Debtor(s) / Bar No.	promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeab by bankruptcy petition preparers, I have given the debtor notice of the maximum amount	le			
Merrill & Stone, LLC	before preparing any document for filing for a debtor or accepting any fee from the debtor,				
Firm Name	as required in that section. Official Form 19 is attached.				
Post Office Box 129 Swainsboro, GA 30401					
Address	Not Applicable				
	Printed Name and title, if any, of Bankruptcy Petition Preparer				
470 227 0211					
478-237-7029 478-237-9211 Telephone Number	Social-Security number (If the bankruptcy petition preparer is not an individual, state				
7/23/2010	the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)				
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.	Address				
Signature of Debtor (Corporation/Partnership)	X Not Applicable				
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.	Date				
	Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.				
The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Names and Social-Security numbers of all other individuals who prepared or assisted				
X s/ Ramesh Sharma	in preparing this document unless the bankruptcy petition preparer is not an individual.				
X Signature of Authorized Individual	If more than one person prepared this document, attach to the appropriate official form	n			
Ramesh Sharma	for each person.	11			
Printed Name of Authorized Individual	A bankruptcy petition preparer's failure to comply with the provisions of title 11 as	ıd			
President	the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.				
Title of Authorized Individual	bont. 11 c.s.c. § 110, 10 c.s.c. § 150.				
7/23/2010					
Date					

United States Bankruptcy Court

Southern District of Georgia

In re:		Case No.	
		Chapter	11
Universal USA, Inc.			
STATEMENT REGARDING AUTHO	ORITY TO SIGN A	ND FILE P	ETITION
I, Ramesh Sharma, declare under penalty of perjury that I am on 07/22/2010 the following resolution was duly adopted by the of		JSA, Inc., a Geo	orgia Corporation and that
"Whereas, it is in the best interest of this Corporation to file a Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United		nited States	
Be It Therefore Resolved, that Ramesh Sharma, President of t documents necessary to perfect the filing of a Chapter 11 volunta			
Be It Further Resolved, that Ramesh Sharma, President of this proceedings on behalf of the Corporation, and to otherwise do an necessary documents on behalf of the Corporation in connection	d perform all acts and deed	ds and to execu	
Be It Further Resolved, that Ramesh Sharma, President of thi attorney and the law firm of Merrill & Stone, LLC to represent the C			to employ Jesse C. Stone,
Executed on: 7/23/2010	Signed: s/ Ramesh Sh		
	Ramesh Shar	ma	

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Southern District of Georgia

In re Universal USA, Inc.			Case No.		
	Debtor		Chapter	11	
LIST OF CRED	ITORS HOLDING	20 LARGES	ST UI	NSECURED	CLAIMS
(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, gov- ernment contract, etc.)		Indicate if claim is contingent, unliquidated, disputed or subject to setoff	Amount of claim [if secured also state value of security]
Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114					\$50,281.53
Georgia Dept. of Revenue Bankruptcy Section P.O. Box 161108 Atlanta, GA 30321					\$95,298.42
Darby Bank 182 W. Liberty Street Lyons, GA 30436					\$4,000.00
Wells Fargo Bank Business Direct Division P.O. Box 29746 Phoeniz, AZ 85038-9746					\$25,306 .34
International Dairy Queen, Inc. American Dairy Queen Corporation Post Office Box 390286 Minneapolis, MN 55439-0286					\$25,000.00
Discover Bank P.O. Box 15156 Wilmington, DE 19850					\$14,000.00

B4 ((Official	Form 4) (1	2/07)	4 -(Cont.
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In re Universal USA, Inc.		Case No.	
Deb	tor	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1)

Name of creditor and complete mailing address including zip code (2)

Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted (3)

Nature of claim (trade debt, bank loan, government contract, etc.) (4)

Indicate if claim is contingent, unliquidated, disputed or subject to setoff (5)

Amount of claim [if secured also state value of security]

TCF Equipment Finance 1110 Wayzata Blvd., Ste. 801 Minnetonka, MN 55305

\$13,430.00

SECURED VALUE: \$3,770.00

Morris State Bank P.O. Box 520 Dublin, GA 31040

\$13,000.00

Sam's Club P.O. Box 530981 Atlanta, GA 30353-0981

\$9,000.00

Sysco Food Services of Atlanta c/o J. Michael Kaplan P.O. Box 11569 Atlanta, GA 30355 \$6,500.00

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

I, Ramesh Sharma, President of the Corporation named as the debtor in this c	se, 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: 7/23/2010 Signature: s/ Ramesh Sharma

Ramesh Sharma ,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:		Case No.
Univers	sal USA, Inc.	Chapter 11
Debtor.		
	CERTIFICATION OF CREI	DITOR MAILING MATRIX
provided schedul submitte the best	d on the diskette (or by ECF submission) match es. Accordingly, I hereby certify under penalty	
respons (3) the v	sibility of the debtor and the debtor's attorney; (various schedules and statements required by t	eteness in preparing the creditor listing are the shared 2) the court will rely on the creditor listing for all mailings; the Bankruptcy Rules are not used for mailing purposes; a not included on this diskette or electronic submission.
The ma	ster mailing list of creditors is submitted via:	
	computer diskette listing a total of	_ creditors which corresponds exactly to the schedules; or
\square	electronic means (ECF) listing a total of 17 cr	reditors which corresponds exactly to the schedules.
		s/ Ramesh Sharma Ramesh Sharma Debtor s/ Jesse C. Stone Jesse C. Stone Attorney for Debtor(s)
Date:	7/23/2010	
Revised	d: 10/05	EXHIBIT 1

B 203 (12/94)

UNITED STATES BANKRUPTCY COURT Southern District of Georgia

In i	·e:	Universa	ıl USA, Inc.					Ca	ase No.		
				Debtor				CI	hapter	<u>11</u>	
			DISCLO	SURE O		COMPENSA FOR DEBT		F ATTO	RNE	Y	
	and that paid to n	t compensation me, for service	n paid to me withir	n one year before be rendered on b	re the f	o), I certify that I am filing of the petition of the debtor(s) in o	in bankruptcy, o	or agreed to be		or(s)	
	For	legal services	s, I have agreed to	accept					,	\$	7,000.00
	Pric	or to the filing o	of this statement I	have received					9	\$	0.00
	Bala	ance Due							,	\$	7,000.00
2.	The sou	urce of comper	nsation paid to me	was:							
	E	☑ Debtor			Othe	er (specify)					
3.	The sou	urce of comper	nsation to be paid	to me is:							
	·	☑ Debtor				er (specify)					
4.		have not agre of my law firm.		oove-disclosed o	compe	ensation with any ot	her person unle	ess they are me	mbers ar	nd associat	es
5.	n a	ny law firm. A attached. n for the above	copy of the agree	ement, together v	with a l	tion with a person of list of the names of legal service for all	the people sha	ring in the com	pensatior		
	,	Analysis of the a petition in ba		situation, and re	enderir	ng advice to the de	btor in determini	ing whether to	file		
	b) F	Preparation and	d filing of any peti	tion, schedules,	staten	ment of affairs, and	plan which may	be required;			
	c) R	Representation	n of the debtor at the	he meeting of cr	reditors	s and confirmation	hearing, and an	y adjourned he	arings th	ereof;	
	d) R	Representation	n of the debtor in a	dversary procee	edings	and other conteste	ed bankruptcy m	natters;			
	, -	Other provision	ns as needed]								
6.	By agre	eement with th	e debtor(s) the ab	ove disclosed fe	e doe	s not include the fo	ollowing services	s:			
	J	Plus \$285.0	0 per hour for	additional rel	lated	work or such o	other rate is a	llowed by th	ne Cour	t.	
						CERTIFICATIO	ON				
re		-	going is a complete ebtor(s) in this ban			reement or arrange	ment for payme	nt to me for			
С)ated: <u>7</u>	7/23/2010									
						s/ Jesse C. S	tone				
						Jesse C. Stor	ne, Bar No. 6	84325			

Merrill & Stone, LLC Attorney for Debtor(s)

B4 (Official Form 4) (12/07)

Discover Bank

P.O. Box 15156 Wilmington, DE 19850

United States Bankruptcy Court Southern District of Georgia

In re Universal USA, Inc.	Debtor	,	ase No.	
LIST OF CREDI	TORS HOLDING 2		T UNSECURED	CLAIMS
(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim [if secured also state value of security]
Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114				\$50,281.53
Georgia Dept. of Revenue Bankruptcy Section P.O. Box 161108 Atlanta, GA 30321				\$95,298.42
Darby Bank 182 W. Liberty Street Lyons, GA 30436				\$4,000.00
Wells Fargo Bank Business Direct Division P.O. Box 29746 Phoeniz, AZ 85038-9746				\$25,306.34
International Dairy Queen, Inc. American Dairy Queen Corporation Post Office Box 390286 Minneapolis, MN 55439-0286				\$25,000.00

\$14,000.00

B4 (Office	cial Form) (12/07)4 -Cont.
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true and correct to the best of my information and belief.

In re Universal USA, Inc.	Debtor	, Case No		
LIST OF CRE	EDITORS HOLDING	20 LARGEST U	NSECURE	ED CLAIMS
(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, gov- ernment contract, etc.)	Indicate if claim is contingent, unliquidated, disputed or subject to setoff	Amount of claim [if secured also state value of security]
TCF Equipment Finance 1110 Wayzata Blvd., Ste. 801				\$13,430.00
Minnetonka, MN 55305				SECURED VALUE: \$3,770.00
Morris State Bank P.O. Box 520 Dublin, GA 31040				\$13,000.00
Sam's Club P.O. Box 530981 Atlanta, GA 30353-0981				\$9,000.00
Sysco Food Services of Atlanta c/o J. Michael Kaplan P.O. Box 11569 Atlanta, GA 30355	,			\$6,500.00

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

I, Ramesh Sharma, 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

Date: 7/23/2010	Signature:	s/ Ramesh Sharma	
		Ramesh Sharma ,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.