# Case: 13-10221 Doc#:1 Filed:02/04/13 Page:1 of 30

|   | States Bankr<br>thern District o   |                              |   |   |  |  | Voluntar  | y Petition                           |
|---|--|------------------------------|---|---|--|--|---|--------------------------------------|
| Name of Debtor (if individual, enter Last, First, Middle):<br>DH-EVANS, LLC   |  |                              | Name  | of Joint De   | ebtor (Spouse  | e) (Last, First  | , Middle):  |                                      |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>DBA SHOPPES AT CAMELOT</b>  |  |                              | All Ot<br>(inclue   | her Names<br>de married,  | used by the J<br>maiden, and   | Joint Debtor<br>trade names  | in the last 8 years<br>):   |                                      |
| Last four digits of Soc. Sec. or Individual-Taxpa<br>(if more than one, state all)<br>20-4427409  | yer I.D. (ITIN) No./C  | Complete Ell                 | N Last fo   | our digits of than one, state   | f Soc. Sec. or<br>all)   | r Individual-T   | Taxpayer I.D. (ITIN)  | No./Complete EIN                     |
| Street Address of Debtor (No. and Street, City, a<br>4446 WASHINGTON ROAD<br>Evans, GA  | and State):  | ZIP Code                     | Street  | Address of  | Joint Debtor   | (No. and Str   | reet, City, and State):   | ZIP Code                             |
| County of Residence or of the Principal Place of<br>Columbia  |  | 30809                        | Count   | y of Reside   | ence or of the   | Principal Pla  | ace of Business:  |                                      |
| Mailing Address of Debtor (if different from stree<br><b>32600 STEPHENSON HWY</b><br><b>Madison Heights, MI</b><br>Location of Principal Assets of Business Debtor  | 4  | ZIP Code<br>18071<br>HINGTON | _   | ig Address  | of Joint Debt  | tor (if differen   | nt from street address  | ):<br>ZIP Code                       |
| (if different from street address above):   | Evans, GA  | 30809-63                     | 360   |   |  |  |   |                                      |
| Type of Debtor<br>(Form of Organization) (Check one box)<br>☐ Individual (includes Joint Debtors)<br>See Exhibit D on page 2 of this form.<br>Corporation (includes LLC and LLP)<br>☐ Partnership<br>☐ Other (If debtor is not one of the above entities,<br>check this box and state type of entity below.)  | Nature of Business<br>(Check one box)<br>Health Care Business<br>Single Asset Real Estate as det<br>in 11 U.S.C. § 101 (51B)<br>Railroad<br>Stockbroker<br>Commodity Broker                        |                              | defined   | □ Chapt<br>□ Chapt<br>□ Chapt<br>□ Chapt<br>□ Chapt   | the 1<br>er 7<br>er 9<br>er 11<br>er 12  | Petition is Fi   | otcy Code Under Wi<br>led (Check one box)<br>hapter 15 Petition for<br>a Foreign Main Proc<br>hapter 15 Petition for<br>a Foreign Nonmain I | Recognition<br>eeding<br>Recognition |
| Chapter 15 Debtors<br>Country of debtor's center of main interests:<br>Each country in which a foreign proceeding<br>by, regarding, or against debtor is pending:   | Clearing Bank     Other     Tax-Exempt Entity     (Check box, if applicable)     Debtor is a tax-exempt organization     under Title 26 of the United States     Code (the Internal Revenue Code). |                              | ution<br>ites   | defined<br>"incurr  | are primarily co<br>1 in 11 U.S.C. §<br>ed by an indivi<br>nal, family, or                         | (Check<br>onsumer debts,<br>§ 101(8) as<br>idual primarily               | bus   | ots are primarily<br>iness debts.    |
| <ul> <li>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.</li> <li>Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</li> </ul> |  |                              | ebtor is a sr<br>ebtor is not<br>:<br>ebtor's aggr<br>e less than<br>plan is beir<br>cceptances | a small busin<br>regate nonco<br>\$2,343,300 (regate boxes:<br>ng filed with<br>of the plan w | debtor as defin<br>ness debtor as c<br>ntingent liquid:<br><i>amount subject</i><br>this petition. | defined in 11 U<br>ated debts (exc<br>t to adjustment<br>repetition from |   | aree years thereafter).              |
| Statistical/Administrative Information ■ Debtor estimates that funds will be available □ Debtor estimates that, after any exempt prop there will be no funds available for distribution   | erty is excluded and a   | administrativ                |   | es paid,  |  | THIS   | SPACE IS FOR COUR   | T USE ONLY                           |
| 1- 50- 100- 200-<br>49 99 199 999   | 1,000-         5,001-           5,000         10,000   | 10,001-                      | □<br>25,001-<br>50,000  | 50,001-<br>100,000  | OVER<br>100,000  |  |   |                                      |
| \$50,000 \$100,000 \$500,000 to \$1<br>million  | \$1,000,001 \$10,000,001<br>to \$10 to \$50<br>million million   | \$50,000,001<br>to \$100     | \$100,000,001<br>to \$500<br>million  | 5500,000,001<br>to \$1 billion  |  |  |   |                                      |
| \$50,000 \$100,000 \$500,000 to \$1   | \$1,000,001 \$10,000,001<br>to \$10 to \$50<br>million million   | \$50,000,001<br>to \$100     | \$100,000,001<br>to \$500<br>million  | \$500,000,001<br>to \$1 billion   |  |  |   |                                      |

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| B1 (Official For   | m 1)(12/11)   |   | Page 2  |  |
|--|---|---|---|--|
| Voluntary  | y Petition  | Name of Debtor(s):<br>DH-EVANS, LLC     |   |  |
| (This page mu  | st be completed and filed in every case)  |   |   |  |
|  | All Prior Bankruptcy Cases Filed Within Last  |   | dditional sheet)  |  |
| Location<br>Where Filed:   | - None -  | Case Number:                            | Date Filed:   |  |
| Location<br>Where Filed:   |   | Case Number:                            | Date Filed:   |  |
|  | nding Bankruptcy Case Filed by any Spouse, Partner, or  | Affiliate of this Debtor (If more that  | an one, attach additional sheet)  |  |
| Name of Debte<br>- None -  | or:   | Case Number:                            | Date Filed:   |  |
| District:  |   | Relationship:                           | Judge:  |  |
|  | Exhibit A   |   | <b>xhibit B</b><br>al whose debts are primarily consumer debts.)                      |  |
| (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.) I, the attorney for the petitioner named in the foregoing petition, declare that informed the petitioner that [he or she] may proceed under chapter 12, or 13 of title 11, United States Code, and have explained the relief avunder each such chapter. I further certify that I delivered to the debtor the required by 11 U.S.C. §342(b). |   |   | or she] may proceed under chapter 7, 11, ode, and have explained the relief available |  |
| 🛛 Exhibit .  | A is attached and made a part of this petition.   | X<br>Signature of Attorney for Debtor(s | s) (Date)   |  |
|  |   | libit C                                 |   |  |
|  | EXIL<br>or own or have possession of any property that poses or is alleged to<br>Exhibit C is attached and made a part of this petition.  |   | le harm to public health or safety?   |  |
| Exhibit I<br>If this is a join   | leted by every individual debtor. If a joint petition is filed, each D completed and signed by the debtor is attached and made a  | a part of this petition.                | a separate Exhibit D.)  |  |
|  | Information Regardin  | •                                       |   |  |
| •  | (Check any ap<br>Debtor has been domiciled or has had a residence, principa<br>days immediately preceding the date of this petition or for  | al place of business, or principal asso |   |  |
|  | There is a bankruptcy case concerning debtor's affiliate, ge  | • •                                     | •   |  |
|  | Debtor is a debtor in a foreign proceeding and has its princ<br>this District, or has no principal place of business or assets<br>proceeding [in a federal or state court] in this District, or the<br>sought in this District. | s in the United States but is a defenda | ant in an action or   |  |
|  | Certification by a Debtor Who Reside<br>(Check all app)   |   | erty  |  |
|  | Landlord has a judgment against the debtor for possession   |   | , complete the following.)  |  |
|  | (Name of landlord that obtained judgment)   |   |   |  |
|  | (Address of landlord)   |   |   |  |
|  | Debtor claims that under applicable nonbankruptcy law, th the entire monetary default that gave rise to the judgment f  |   |   |  |
|  | Debtor has included in this petition the deposit with the co<br>after the filing of the petition.   | urt of any rent that would become du    | ue during the 30-day period   |  |

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

| <b>B1</b> ( | Official Form 1)(12/11)   | Page 3  |
|-------------|---|---|
| Va          | oluntary Petition   | Name of Debtor(s):<br>DH-EVANS, LLC   |
| (Th         | is page must be completed and filed in every case)  |   |
|             |   | atures  |
| x<br>x<br>x | Signature(s) of Debtor(s) (Individual/Joint)<br>I declare under penalty of perjury that the information provided in this<br>petition is true and correct.<br>[If petitioner is an individual whose debts are primarily consumer debts and<br>has chosen to file under chapter 7] I am aware that I may proceed under<br>chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief<br>available under each such chapter, and choose to proceed under chapter 7.<br>[If no attorney represents me and no bankruptcy petition preparer signs the<br>petition] I have obtained and read the notice required by 11 U.S.C. §342(b).<br>I request relief in accordance with the chapter of title 11, United States Code,<br>specified in this petition.<br>Signature of Debtor | 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         Date       Date         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(b), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(b) 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, |
|             | Address Email: cwills@klosinski.com 706-863-2255 Telephone Number February 4, 2013 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.   | principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)           Address           X  |
|             | Signature of Debtor (Corporation/Partnership)   | Date  |
|             | 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.<br>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.   | Signature of bankruptcy petition preparer or officer, principal, responsible<br>person,or partner whose Social Security number is provided above.<br>Names and Social-Security numbers of all other individuals who prepared or<br>assisted in preparing this document unless the bankruptcy petition preparer is<br>not an individual:   |
| X           | /s/ WILLIAM J. FOWLER         Signature of Authorized Individual         WILLIAM J. FOWLER         Printed Name of Authorized Individual         MANAGER         Title of Authorized Individual         February 4, 2013         Date   | If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.<br>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.  |

B4 (Official Form 4) (12/07)

### United States Bankruptcy Court Southern District of Georgia

In re **DH-EVANS, LLC** 

Debtor(s)

Case No. 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<br>mailing address including zip<br>code                      | Name, telephone number and complete<br>mailing address, including zip code, of<br>employee, agent, or department of creditor<br>familiar with claim who may be contacted | Nature of claim (trade<br>debt, bank loan,<br>government contract,<br>etc.)  | Indicate if claim is<br>contingent,<br>unliquidated,<br>disputed, or<br>subject to setoff | Amount of claim<br>[if secured, also<br>state value of<br>security] |
| AMERICAN FAMILY<br>MUTUAL INSURANCE<br>4446 WASHINGTON ROAD,<br>SUITE 16<br>Evans, GA 30809 | AMERICAN FAMILY MUTUAL<br>INSURANCE<br>4446 WASHINGTON ROAD, SUITE 16<br>Evans, GA 30809   | AMOUNT OWED<br>FOR TENANT<br>BUILD OUT   |   | 60,000.00   |
| BANK OF AMERICA, N.A.<br>2600 WEST BIG BEAVER<br>ROAD<br>M18-900-04-20<br>Troy, MI 48084    | BANK OF AMERICA, N.A.<br>2600 WEST BIG BEAVER ROAD<br>M18-900-04-20<br>Troy, MI 48084  | 4446<br>WASHINGTON<br>ROAD, EVANS,<br>GEORGIA<br>30809-6360;<br>SHOPPING<br>CENTER KNOWN<br>AS SHOPPES AT<br>CAMELOT |   | 3,913,485.00<br>(3,700,000.00<br>secured)                           |
| DH FORD, LLC<br>32600 STEPHENSON HWY<br>Madison Heights, MI 48071                           | DH FORD, LLC<br>32600 STEPHENSON HWY<br>Madison Heights, MI 48071  | INSIDER LOANS  |   | 650,000.00  |
| DIAMOND HOLDINGS II, LLC<br>32600 STEPHENS HWY<br>Madison Heights, MI 48071                 | DIAMOND HOLDINGS II, LLC<br>32600 STEPHENS HWY<br>Madison Heights, MI 48071  | PARENT<br>COMPANY -<br>INSIDER LOANS   |   | 1,372,423.00  |
|   |  |  |   |   |
|   |  |  |   |   |
|   |  |  |   |   |
|   |  |  |   |   |

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B4 (Official Form 4) (12/07) - Cont. In re DH-EVANS, LLC

Debtor(s)

Case No.

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

| (1)  | (2)  | (3)   | (4)   | (5)   |
|--|--|---|---|---|
| Name of creditor and complete<br>mailing address including zip<br>code | Name, telephone number and complete<br>mailing address, including zip code, of<br>employee, agent, or department of creditor<br>familiar with claim who may be contacted | Nature of claim (trade<br>debt, bank loan,<br>government contract,<br>etc.) | Indicate if claim is<br>contingent,<br>unliquidated,<br>disputed, or<br>subject to setoff | Amount of claim<br>[if secured, also<br>state value of<br>security] |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |

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

I, the MANAGER 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 February 4, 2013

Signature /s/ WILLIAM J. FOWLER WILLIAM J. FOWLER MANAGER

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. Unite

### United States Bankruptcy Court Southern District of Georgia

Case: 13-10221 Doc#:1

### In re **DH-EVANS**, LLC

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B6 Summary (Official Form 6 - Summary) (12/07)

Debtor

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must

also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE   | ATTACHED<br>(YES/NO) | NO. OF<br>SHEETS | ASSETS            | LIABILITIES  | OTHER |
|--|----------------------|------------------|-------------------|--------------|-------|
| A - Real Property  | Yes                  | 1                | 3,700,000.00      |              |       |
| B - Personal Property  | Yes                  | 4                | 73,826.31         |              |       |
| C - Property Claimed as Exempt   | No                   | 0                |                   |              |       |
| D - Creditors Holding Secured Claims   | Yes                  | 1                |                   | 3,913,485.00 |       |
| E - Creditors Holding Unsecured<br>Priority Claims (Total of Claims on Schedule E) | Yes                  | 1                |                   | 0.00         |       |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                              | Yes                  | 1                |                   | 2,082,423.00 |       |
| G - Executory Contracts and<br>Unexpired Leases                                    | Yes                  | 1                |                   |              |       |
| H - Codebtors  | Yes                  | 1                |                   |              |       |
| I - Current Income of Individual<br>Debtor(s)                                      | No                   | 0                |                   |              | N/A   |
| J - Current Expenditures of Individual<br>Debtor(s)                                | No                   | 0                |                   |              | N/A   |
| Total Number of Sheets of ALL Schedu   | ıles                 | 10               |                   |              |       |
|  | Te                   | otal Assets      | 3,773,826.31      |              |       |
|  |                      |                  | Total Liabilities | 5,995,908.00 |       |

Case No.

Chapter\_\_\_\_\_11\_\_\_\_

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|----------------|--------------|
|                |              |

# United States Bankruptcy Court

Southern District of Georgia

In re D

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DH-EVANS, LLC

Debtor

Case No.\_\_\_\_\_

Chapter 11

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

□ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

#### This information is for statistical purposes only under 28 U.S.C. § 159.

### Summarize the following types of liabilities, as reported in the Schedules, and total them.

| Type of Liability   | Amount |
|---|--------|
| Domestic Support Obligations (from Schedule E)  |        |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)  |        |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) |        |
| Student Loan Obligations (from Schedule F)  |        |
| Domestic Support, Separation Agreement, and Divorce Decree<br>Obligations Not Reported on Schedule E                |        |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                           |        |
| TOTAL   |        |

### State the following:

| Average Income (from Schedule I, Line 16)  |  |
|--|--|
| Average Expenses (from Schedule J, Line 18)  |  |
| Current Monthly Income (from Form 22A Line 12; OR,<br>Form 22B Line 11; OR, Form 22C Line 20 ) |  |

#### State the following:

| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column                  |  |
|---|--|
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column                |  |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO<br>PRIORITY, IF ANY" column |  |
| 4. Total from Schedule F  |  |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)                  |  |

B6A (Official Form 6A) (12/07)

In re DH-EVANS, LLC

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Case No.

#### Debtor

# **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

| 4446 WASHINGTON ROAD, EVANS, GEORGIA<br>30809-6360; SHOPPING CENTER KNOWN AS<br>SHOPPES AT CAMELOT | FEE SIMPLE                                 | -   | 3,700,000.00   | 3,913,485.00               |
|--|--|---|--|----------------------------|
| Description and Location of Property   | Nature of Debtor's<br>Interest in Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in<br>Property, without<br>Deducting any Secured<br>Claim or Exemption | Amount of<br>Secured Claim |

| Sub-Total > | 3,700,000.00 | (Total of this page) |
|-------------|--------------|----------------------|
|-------------|--------------|----------------------|

B6B (Official Form 6B) (12/07)

In re

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DH-EVANS, LLC

Case No.

Debtor

# SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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).

|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property         | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--|---|---|
| 1.  | Cash on hand  | х                |  |   |   |
| 2.  | Checking, savings or other financial accounts, certificates of deposit, or  |                  | BANK OF AMERICA - CHECKING ACCOUNT           | -   | 1,539.06  |
|     | shares in banks, savings and loan,<br>thrift, building and loan, and  |                  | THE PRIVATE BANK - CHECKING ACCOUNT          | -   | 40,650.87   |
|     | homestead associations, or credit<br>unions, brokerage houses, or<br>cooperatives.  |                  | BLANCHARD AND CALHOUN - OPERATING<br>ACCOUNT | -   | 15,992.38   |
| 3.  | Security deposits with public<br>utilities, telephone companies,<br>landlords, and others.  | Х                |  |   |   |
| 4.  | Household goods and furnishings,<br>including audio, video, and<br>computer equipment.  | Х                |  |   |   |
| 5.  | Books, pictures and other art<br>objects, antiques, stamp, coin,<br>record, tape, compact disc, and<br>other collections or collectibles. | Х                |  |   |   |
| 6.  | Wearing apparel.  | Х                |  |   |   |
| 7.  | Furs and jewelry.   | Х                |  |   |   |
| 8.  | Firearms and sports, photographic, and other hobby equipment.   | Х                |  |   |   |
| 9.  | Interests in insurance policies.<br>Name insurance company of each<br>policy and itemize surrender or<br>refund value of each.            | Х                |  |   |   |
| 10. | Annuities. Itemize and name each issuer.  | Х                |  |   |   |

58,182.31

3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re

DH-EVANS, LLC

Case No.

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property                             | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--|---|---|
| 11. | Interests in an education IRA as<br>defined in 26 U.S.C. § 530(b)(1) or<br>under a qualified State tuition plan<br>as defined in 26 U.S.C. § 529(b)(1).<br>Give particulars. (File separately the<br>record(s) of any such interest(s).<br>11 U.S.C. § 521(c).) | X                |  |   |   |
| 12. | Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | x                |  |   |   |
| 13. | Stock and interests in incorporated<br>and unincorporated businesses.<br>Itemize.   | х                |  |   |   |
| 14. | Interests in partnerships or joint ventures. Itemize.   | Х                |  |   |   |
| 15. | Government and corporate bonds<br>and other negotiable and<br>nonnegotiable instruments.  | X                |  |   |   |
| 16. | Accounts receivable.  |                  | AST DUE RENT FROM TENANT BRIAN COLLINS<br>BA POSH SALON OF EVANS | -   | 5,644.00  |
| 17. | Alimony, maintenance, support, and<br>property settlements to which the<br>debtor is or may be entitled. Give<br>particulars.   | x                |  |   |   |
| 18. | Other liquidated debts owed to debtor including tax refunds. Give particulars.  | х                |  |   |   |
| 19. | Equitable or future interests, life<br>estates, and rights or powers<br>exercisable for the benefit of the<br>debtor other than those listed in<br>Schedule A - Real Property.  | x                |  |   |   |
| 20. | Contingent and noncontingent<br>interests in estate of a decedent,<br>death benefit plan, life insurance<br>policy, or trust.   | х                |  |   |   |
| 21. | Other contingent and unliquidated<br>claims of every nature, including<br>tax refunds, counterclaims of the<br>debtor, and rights to setoff claims.<br>Give estimated value of each.  | X                |  |   |   |
|     |   |                  | (Tota  | Sub-Tota                                    | al > <b>5,644.00</b>  |

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

In re

**DH-EVANS, LLC** 

Case No.

### Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

|     | Type of Property   | N<br>O<br>N<br>E | Description and Location of Property  | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|-----|--|------------------|---|---|---|
| 22. | Patents, copyrights, and other<br>intellectual property. Give<br>particulars.  | х                |   |   |   |
| 23. | Licenses, franchises, and other general intangibles. Give particulars.   | x                |   |   |   |
| 24. | Customer lists or other compilations<br>containing personally identifiable<br>information (as defined in 11 U.S.C.<br>§ 101(41A)) provided to the debtor<br>by individuals in connection with<br>obtaining a product or service from<br>the debtor primarily for personal,<br>family, or household purposes. | X                |   |   |   |
| 25. | Automobiles, trucks, trailers, and other vehicles and accessories.   | X                |   |   |   |
| 26. | Boats, motors, and accessories.  | X                |   |   |   |
| 27. | Aircraft and accessories.  | Х                |   |   |   |
| 28. | Office equipment, furnishings, and supplies.   | X                |   |   |   |
| 29. | Machinery, fixtures, equipment, and supplies used in business.   |                  | Property located in the "The Retreat" a restaurant<br>which is a tenant of Debtor: cigar and pipe tobacco<br>inventory, miscellaneous tobacco accessory<br>inventory, flat screen TV, furniture and furnishings,<br>sales counter and sales equipment, miscellaneous<br>store and office equipment, miscellaneous plates,<br>bowls, glasses, cups, small serving baskets,<br>miscellaneous pots and silverware, 2 hoods,<br>walk-in cooler, walk-in freezer, reataurant POS<br>system, alarm system and surveillance, 8<br>racks/shelves, tripls sink and 3 prep sinks, 8 tables<br>and the accompanying chairs and miscellaneous<br>smallware. | -   | 10,000.00   |
| 30. | Inventory.   | Х                |   |   |   |
| 31. | Animals.   | х                |   |   |   |
| 32. | Crops - growing or harvested. Give particulars.  | x                |   |   |   |
| 33. | Farming equipment and implements.  | x                |   |   |   |
|     |  |                  |   | Sub-Tota                                    | al > <b>10,000.00</b>   |

(Total of this page)

B6B (Official Form 6B) (12/07) - Cont.

| In re | DH-EVANS, LLC |   | Case No. |  |
|-------|---------------|---|----------|--|
|       |               | _ |          |  |

Debtor

# SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| Type of Property                        | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|---|------------------|--------------------------------------|---|---|
| 34. Farm supplies, chemicals, and feed. | х                |                                      |   |   |
| 35. Other personal property of any kind | Х                |                                      |   |   |

35. Other personal property of any kind not already listed. Itemize.

Sub-Total > (Total of this page) Total > 0.00

73,826.31

(Report also on Summary of Schedules)

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

B6D (Official Form 6D) (12/07)

In re

DH-EVANS, LLC

Case No.\_\_\_\_\_

# **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

Debtor

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, gamishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests. List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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). If all secured creditors will not fit on this page, use the continuation sheet provided. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.) Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. П

| CREDITOR'S NAME<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.)<br>Account No.<br>BANK OF AMERICA, N.A.<br>2600 WEST BIG BEAVER ROAD<br>M18-900-04-20<br>Troy, MI 48084 | CODUBTOR<br>R                             | L C      | DESCRIPTION AND VALUE<br>OF PROPERTY<br>SUBJECT TO LIEN<br>JANUARY 30, 2007<br>DEED TO SECURE DEBT<br>4446 WASHINGTON ROAD, EVANS,<br>GEORGIA 30809-6360; SHOPPING<br>CENTER KNOWN AS SHOPPES AT<br>CAMELOT |   | N I<br>G I  |   | DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF<br>ANY |
|--|---|----------|---|---|-------------|---|-------------------------------------|---------------------------------|
|  |   | L        | Value \$ 3,700,000.00   |   |             |   | 3,913,485.00                        | 213,485.00                      |
| Account No.  |   |          | Value \$  |   |             |   |                                     |                                 |
|  |   | $\vdash$ | Value \$  |   | $\perp$     | _ |                                     |                                 |
| Account No.  |   |          | Value \$  | _ |             |   |                                     |                                 |
| <b>0</b> continuation sheets attached  |   |          | (Total o  |   | bto<br>s pa |   | 3,913,485.00                        | 213,485.00                      |
|  | Total<br>(Report on Summary of Schedules) |          |   |   |             |   | 3,913,485.00                        | 213,485.00                      |

In re

DH-EVANS, LLC

Case No.

### Debtor

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### □ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### □ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### □ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### **Taxes and certain other debts owed to governmental units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### □ Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### □ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6F (Official Form 6F) (12/07)

In re

**DH-EVANS, LLC** 

Case No.

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Debtor

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

|   |            | _                |   |             | _                | _        |                 |
|---|------------|------------------|---|-------------|------------------|----------|-----------------|
| CREDITOR'S NAME,  | С          | Ηι               | usband, Wife, Joint, or Community   | _ C<br>0    | U                | D        |                 |
| MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.) | COD E BTOR | H<br>W<br>J<br>C | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM<br>IS SUBJECT TO SETOFF, SO STATE. |             |                  | DISPUTED | AMOUNT OF CLAIM |
| Account No.   |            |                  | AMOUNT OWED FOR TENANT BUILD OUT  | T           | A<br>T<br>E<br>D |          |                 |
| AMERICAN FAMILY MUTUAL<br>INSURANCE<br>4446 WASHINGTON ROAD, SUITE 16<br>Evans, GA 30809  |            | -                |   |             | D                |          | 60,000.00       |
| Account No.   |            |                  | INSIDER LOANS   | 1           |                  |          |                 |
| DH FORD, LLC<br>32600 STEPHENSON HWY<br>Madison Heights, MI 48071                         |            | -                |   |             |                  |          | 650,000.00      |
| Account No.   |            | ┢                | PARENT COMPANY - INSIDER LOANS  | +           |                  |          |                 |
| DIAMOND HOLDINGS II, LLC<br>32600 STEPHENS HWY<br>Madison Heights, MI 48071               |            | -                |   |             |                  |          |                 |
|   |            |                  |   |             |                  |          | 1,372,423.00    |
| Account No.   |            |                  |   |             |                  |          |                 |
| _ <b>0</b> continuation sheets attached   |            | ·                | (Total of   | Sub<br>this |                  | -        | 2,082,423.00    |
|   |            |                  | (Report on Summary of   |             | Fota<br>dule     |          | 2,082,423.00    |

In re

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DH-EVANS, LLC

Case No.

### Debtor

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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).

| Name and Mailing Address, Including Zip Code,<br>of Other Parties to Lease or Contract                     | Description of Contract or Lease and Nature of Debtor's Interest.<br>State whether lease is for nonresidential real property.<br>State contract number of any government contract. |
|--|--|
| AMERICAN FAMILY MUTUAL INSURANCE<br>4446 WASHINGTON RD, SUITE 15, 16, 17<br>Evans, GA 30809                | COMMERCIAL REAL ESTATE LEASE<br>EXPIRATION: 7-10-2015  |
| BLANCHARD AND CALHOUN COMMERCIAL<br>2743 PERIMETER PARKWAY<br>BUILDING 100, SUITE 370<br>Augusta, GA 30909 | PLAZA MANAGEMENT AND LEASING<br>AGREEMENT  |
| BRYAN COLLINS DBA POSH SALON OF EVANS<br>4446 WASHINGTON RD, SUITE 13<br>Evans, GA 30809                   | COMMERCIAL REAL ESTATE LEASE<br>EXPIRATION: 12-30-2012   |
| CAO THANH NGUYEN DBA CLASSIC NAILS, LLC<br>4446 WASHINGTON RD, SUITE 6<br>Evans, GA 30809                  | COMMERCIAL REAL ESTATE LEASE<br>EXPIRATION: 2-20-2017  |
| CLUB SHACK, INC DBA SHANE'S RIB SHACK<br>4446 WASHINGTON RD, SUITE 1, 2 & 3<br>Evans, GA 30809             | COMMERCIAL REAL ESTATE LEASE<br>EXPIRATION: 7-26-2017  |
| FIVEWOOD, LLC<br>4446 WASHINGTON RD, SUITE 5<br>Evans, GA 30809  | COMMERCIAL REAL ESTATE LEASE<br>EXPIRATION: 4-19-2017  |
| MANSAUR MOHAMED AKA MANSOUR DRESS<br>SHOP<br>4446 WASHINGTON RD, SUITE 12<br>Evans, GA 30809               | COMMERCIAL REAL ESTATE LEASE<br>EXPIRATION: 11-26-2013   |
| THEODORE A. SCHULTZ DBA THE RETREAT<br>4446 WASHINGTON RD, SUITE 19 & 20<br>Evans, GA 30809                | COMMERCIAL REAL ESTATE LEASE<br>EXPIRATION: 3-1-13   |
| UNITED STATES OF AMERICA DBA US ARMY<br>4446 WASHINGTON RD, SUITE 4<br>Evans, GA 30809                     | COMMERCIAL REAL ESTATE LEASE<br>EXPIRATION: 9-15-2013  |

B6H (Official Form 6H) (12/07)

In re

DH-EVANS, LLC

Case No.

### Debtor

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

DIAMOND HOLDINGS, LLC 32600 STEPHENS HWY Madison Heights, MI 48071 \*TO CLARIFY, THIS IS DIAMOND HOLDINGS, LLC NOT DIAMOND HOLDINGS II, LLC THE PARENT COMPANY OF DEBTOR

EMMET DENHA 1350 ORCHARD RIDGE Bloomfield Hills, MI 48304

JOHN ARCORI 15420 WINDMILL DRIVE Macomb, MI 48044

JOSEPH ARCORI 47507 MILONAS DRIVE SHELBY TWP, MI 48315

LAMIA ARCORI 32451 ROCK RIDGE Farmington, MI 48334

RONALD SHUNIA 1875 KINSEL Walled Lake, MI 48390

WILLIAM J. FOWLER 35268 STRATTON HILL COURT Farmington, MI 48331 NAME AND ADDRESS OF CREDITOR

BANK OF AMERICA, N.A. 2600 WEST BIG BEAVER ROAD M18-900-04-20 Troy, MI 48084

BANK OF AMERICA, N.A. 2600 WEST BIG BEAVER ROAD M18-900-04-20 Troy, MI 48084

BANK OF AMERICA, N.A. 2600 WEST BIG BEAVER ROAD M18-900-04-20 Troy, MI 48084

BANK OF AMERICA, N.A. 2600 WEST BIG BEAVER ROAD M18-900-04-20 Troy, MI 48084

BANK OF AMERICA, N.A. 2600 WEST BIG BEAVER ROAD M18-900-04-20 Troy, MI 48084

BANK OF AMERICA, N.A. 2600 WEST BIG BEAVER ROAD M18-900-04-20 Troy, MI 48084

BANK OF AMERICA, N.A. 2600 WEST BIG BEAVER ROAD M18-900-04-20 Troy, MI 48084 B6 Declaration (Official Form 6 - Declaration). (12/07)

United States Bankruptcy Court Southern District of Georgia

In re DH-EVANS, LLC

Debtor(s)

Case No. Chapter

11

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the MANAGER of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 12 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date February 4, 2013

Signature /s/ WILLIAM J. FOWLER WILLIAM J. FOWLER MANAGER

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. B7 (Official Form 7) (12/12)

### United States Bankruptcy Court Southern District of Georgia

In re **DH-EVANS, LLC** 

Debtor(s)

Case No. Chapter

11

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

### DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any persons in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(2), (31).

#### 1. Income from employment or operation of business

None State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| AMOUNT       | SOURCE            |
|--------------|-------------------|
| \$285,919.00 | 2011 Gross Income |
| \$258,077.00 | 2012 Gross Income |

#### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

| B7( | 12/12) |
|-----|--------|
|-----|--------|

#### 2 3. Payments to creditors None Complete a. or b., as appropriate, and c. a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) NAME AND ADDRESS DATES OF AMOUNT STILL AMOUNT PAID OF CREDITOR PAYMENTS OWING None b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) AMOUNT DATES OF PAID OR PAYMENTS/ AMOUNT STILL VALUE OF NAME AND ADDRESS OF CREDITOR TRANSFERS OWING TRANSFERS None c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) NAME AND ADDRESS OF CREDITOR AND AMOUNT STILL DATE OF PAYMENT AMOUNT PAID RELATIONSHIP TO DEBTOR OWING 4. Suits and administrative proceedings, executions, garnishments and attachments None a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) CAPTION OF SUIT NATURE OF COURT OR AGENCY STATUS OR AND CASE NUMBER PROCEEDING AND LOCATION DISPOSITION b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately None preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) NAME AND ADDRESS OF PERSON FOR WHOSE DESCRIPTION AND VALUE OF DATE OF SEIZURE BENEFIT PROPERTY WAS SEIZED PROPERTY 5. Repossessions, foreclosures and returns None List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) DATE OF REPOSSESSION. DESCRIPTION AND VALUE OF NAME AND ADDRESS OF FORECLOSURE SALE, PROPERTY CREDITOR OR SELLER TRANSFER OR RETURN

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

| B 7 (12/12   | )  |   |  | 3  |  |  |  |  |  |
|--|--|---|--|--|--|--|--|--|--|
|  | 6. Assignments and receiverships   | 1   |  |  |  |  |  |  |  |
| None   | . Describe any assignment of property for the benefit of creations made within 120 augs minediately proceeding the commencer |   |  |  |  |  |  |  |  |
| NAME A   | AND ADDRESS OF ASSIGNEE  | DATE OF<br>ASSIGNMENT   | TERMS OF ASS   | IGNMENT OR SETTLEMENT  |  |  |  |  |  |
| None   | b. List all property which has been<br>preceding the commencement of th<br>property of either or both spouses v<br>filed.)   | 3 must include information concerning                                   |  |  |  |  |  |  |  |
|  | AND ADDRESS<br>CUSTODIAN   | NAME AND LOCATION<br>OF COURT<br>CASE TITLE & NUMBER                    | DATE OF<br>ORDER   | DESCRIPTION AND VALUE OF<br>PROPERTY   |  |  |  |  |  |
|  | 7. Gifts   |   |  |  |  |  |  |  |  |
| None   | and usual gifts to family members a  | ggregating less than \$200 in value pient. (Married debtors filing unde | per individual family men<br>r chapter 12 or chapter 13      | must include gifts or contributions by   |  |  |  |  |  |
|  | E AND ADDRESS OF<br>N OR ORGANIZATION  | RELATIONSHIP TO<br>DEBTOR, IF ANY                                       | DATE OF GIFT   | DESCRIPTION AND<br>VALUE OF GIFT   |  |  |  |  |  |
|  | 8. Losses  |   |  |  |  |  |  |  |  |
| None   | List all losses from fire, theft, other<br>since the commencement of this c<br>spouses whether or not a joint petit          | ase. (Married debtors filing under                                      | chapter 12 or chapter 13 m                                   |  |  |  |  |  |  |
|  | PTION AND VALUE<br>F PROPERTY  | LOSS WAS CO   | OF CIRCUMSTANCES<br>VERED IN WHOLE OR<br>ANCE, GIVE PARTICUL | IN PART  |  |  |  |  |  |
|  | 9. Payments related to debt coun   | seling or bankruptcy  |  |  |  |  |  |  |  |
| None   | List all payments made or property<br>concerning debt consolidation, reliv<br>preceding the commencement of th               | ef under the bankruptcy law or prep                                     |  | ading attorneys, for consultation<br>bankruptcy within <b>one year</b> immediately   |  |  |  |  |  |
| OF<br>Klosin<br>#7 geo   | AND ADDRESS<br>PAYEE<br>ISKI OVERSTREET, LLP<br>IRGE C. WILSON COURT<br>a, GA 30909  | DATE OF PAY<br>NAME OF PAYOR<br>THAN DEB<br><b>2-2-2013</b>             | IF OTHER   | AMOUNT OF MONEY<br>OR DESCRIPTION AND VALUE<br>OF PROPERTY<br>DEBTOR PAID \$15,000.00<br>TOWARDS PRE-PETITION<br>LEGAL FEES, FILING FEES<br>AND RETAINER |  |  |  |  |  |
|  | <b>10. Other transfers</b>   |   |  |  |  |  |  |  |  |
| None a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the transferred either absolutely or as security within <b>two years</b> immediately preceding the commencement of this case. (Mai filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is fil spouses are separated and a joint petition is not filed.) |  |   |  |  |  |  |  |  |  |
|  | AND ADDRESS OF TRANSFEREE,<br>EELATIONSHIP TO DEBTOR   | DATE  |  | PERTY TRANSFERRED<br>ALUE RECEIVED   |  |  |  |  |  |

None

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

| NAME OF TRUST OR OTHER<br>DEVICE            |   | DATE(S) OF<br>TRANSFER(S)  |  | IONEY OR DESCRIPTION AND<br>DPERTY OR DEBTOR'S INTEREST  |
|---|---|--|--|--|
| 11. Clo                                     | sed financial accounts  |  |  |  |
| otherwise<br>financia<br>coopera<br>include | se transferred within <b>one year</b> im<br>l accounts, certificates of deposit<br>tives, associations, brokerage hou | mediately preceding the comm<br>, or other instruments; shares a<br>uses and other financial institut<br>or instruments held by or for o | nencement of this case. Ir<br>and share accounts held in<br>tions. (Married debtors fi | e debtor which were closed, sold, or<br>nclude checking, savings, or other<br>in banks, credit unions, pension funds,<br>iling under chapter 12 or chapter 13 must<br>hether or not a joint petition is filed, |
| NAME AND ADD                                | RESS OF INSTITUTION   | TYPE OF ACCOU<br>DIGITS OF ACCO<br>AND AMOUNT OF   | OUNT NUMBER,   | AMOUNT AND DATE OF SALE<br>OR CLOSING  |
| None List eac                               |   |  |  | , or other valuables within <b>one year</b><br>2 or chapter 13 must include boxes or   |

tor has or had securities, cash, or other valuables within one year lebtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY

NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS 
> DATE OF TRANSFER OR SURRENDER, IF ANY

AMOUNT OF SETOFF

|      | 13. Setoffs  |
|------|--|
| None | List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within <b>90 days</b> preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) |

DATE OF SETOFF

| 14. | Property | held for | another | person |
|-----|----------|----------|---------|--------|
|-----|----------|----------|---------|--------|

None List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER DESCRIPTION AND VALUE OF PROPERTY LOCATION OF PROPERTY

### 15. Prior address of debtor

None If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

| ADDRESS                        | NAME USED | DATES OF OCCUPANCY |
|--------------------------------|-----------|--------------------|
| 16. Spouses and Former Spouses |           |                    |
|                                |           |                    |

None If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 5 17. Environmental Information. For the purpose of this question, the following definitions apply: "Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material. "Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites. "Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law: NAME AND ADDRESS OF ENVIRONMENTAL DATE OF SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice. DATE OF **ENVIRONMENTAL** NAME AND ADDRESS OF SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which None the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

None a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

NAME **DH-EVANS, LLC**  LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN 20-4427409

ADDRESS 4446 WASHINGTON ROAD Evans, GA 30809

NATURE OF BUSINESS

**OPERATES A** SHOPPING CENTER DOING BUSINESS AS SHOPPES AT CAMELOT

**BEGINNING AND** ENDING DATES **JANUARY 2007 -**PRESENT

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME

ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, records and financial statements

None  $\square$  a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS STEPHEN D. CHEANEY UHY ADVISORS MI, INC. 27725 STANSBURY, SUITE 210 Farmington, MI 48334

Blanchard and Calhoun Commercial 2743 Perimeter Road, Building 100 Suite 370 Augusta, GA 30909

Sherman and Hemstreet 3523 Walton Way Extension Augusta, GA 30909

Meybohm Commercial Property 3519 Wheeler Road Augusta, GA 30909

SANDRA DALTON 32600 STEPHENSON HWY Madison Heights, MI 48071

RENAY RYTLEWSKI 32600 STEPHENSON HWY Madison Heights, MI 48071 DATES SERVICES RENDERED HISTORICAL CPA FOR PAST 15 YRS

April 2012-Present Monthly operating reports, billing, rent collection and property maintenance

March 2011 to March 2012 Monthly operating reports, billing, rent collection and property maintenance.

2007 to February 2012 Monthly operating reports, billing, rent collection and property maintenance.

INTERNAL BOOKKEEPER

**INTERNAL BOOKKEEPER** 

None b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME STEPHEN D. CHEANEY ADDRESS UHY ADVISORS MI, INC. 27725 STANSBURY, SUITE 210 Farmington, MI 48334 DATES SERVICES RENDERED **YEARLY** 

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME STEPHEN D. CHEANEY ADDRESS UHY ADVISORS MI, INC.27725 STANSBURY, SUITE 120 Farmington, MI 48334

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

6

| NAME AND ADDRESS   |  |                                      | DATE ISSUED   |  |  |
|--|--|--------------------------------------|---|--|--|
|  | 20. Inventories  |                                      |   |  |  |
| None   | a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.   |                                      |   |  |  |
| DATE O   | FINVENTORY   | INVENTORY SUPERVISOR                 | DOLLAR AMOUNT OF INVENTORY<br>(Specify cost, market or other basis) |  |  |
| None   | b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above   |                                      |   |  |  |
| DATE O   | DATE OF INVENTORY RECORDS  |                                      |   |  |  |
|  | 21 . Current Partners, O   | officers, Directors and Shareholders |   |  |  |
| None   | a. If the debtor is a particle sinp, list the hadre and percentage of particles in particles of each member of the particlesinp.   |                                      |   |  |  |
| NAME AND ADDRESSNATURE OF INTERESTPERCENTAGE OF INTERDIAMOND HOLDINGS II, LLC100 % INTEREST32600 STEPHENS HWY100 % INTERESTMadison Heights, MI 48071100 % INTEREST |  |                                      |   |  |  |
| None   | <ul><li>b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.</li></ul>   |                                      |   |  |  |
| NAME AND ADDRESSTITLENATURE AND PERCENTAGE<br>OF STOCK OWNERSHIP   |  |                                      |   |  |  |
|  | 22 . Former partners, of   | ficers, directors and shareholders   |   |  |  |
| None   | a. If the debtor is a partnership, list each member who withdrew from the partnership within <b>one year</b> immediately preceding the commencement of this case.  |                                      |   |  |  |
| NAME   | E ADDRESS  |                                      | DATE OF WITHDRAWAL  |  |  |
| None   | b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within <b>one year</b> immediately preceding the commencement of this case.  |                                      |   |  |  |
| NAME A   | AND ADDRESS  | TITLE                                | DATE OF TERMINATION   |  |  |
|  | <ul> <li>23. Withdrawals from a partnership or distributions by a corporation</li> <li>If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.</li> </ul> |                                      |   |  |  |
| None   |  |                                      |   |  |  |
|  |  |                                      | AMOUNT OF MONEY<br>OR DESCRIPTION AND<br>VALUE OF PROPERTY          |  |  |

7

#### 24. Tax Consolidation Group.

None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

#### NAME OF PARENT CORPORATION DIAMOND HOLDINGS II, LLC 32600 STEPHENSON HWY MADISON HEIGHTS, MI 48071

TAXPAYER IDENTIFICATION NUMBER (EIN) 20-2939614

### 25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

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

\* \* \* \* \* \*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date February 4, 2013

Signature /s/ WILLIAM J. FOWLER

WILLIAM J. FOWLER MANAGER

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement: 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 🛛 🗖 | DH-E |
|-----------|------|
|-----------|------|

DH-EVANS, LLC

Debtor

# LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

| Name and last known address   | Security               | Number        | Kind of  |
|---|------------------------|---------------|----------|
| or place of business of holder  | Class                  | of Securities | Interest |
| DIAMOND HOLDINGS II, LLC<br>32600 STEPHENS HWY<br>Madison Heights, MI 48071 | MEMBERSHIP<br>INTEREST |               | 100%     |

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

I, the MANAGER of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date February 4, 2013

Signature /s/ WILLIAM J. FOWLER WILLIAM J. FOWLER MANAGER

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 **DH-EVANS, LLC** 

Debtor(s)

Case No. Chapter

11

### **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 a 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 the 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 <u>24</u> creditors which corresponds exactly to the schedules.

/s/ WILLIAM J. FOWLER WILLIAM J. FOWLER Debtor

/s/ Charles W. Wills Charles W. Wills Attorney for Debtor(s)

Date: February 4, 2013

Revised: 10/05

DH-EVANS, LLCCLUB SHACK, INC DBA SHANE'S RIB SHANCSAUR MOHAMED AKA MANS32600 STEPHENSON HWY4446 WASHINGTON RD, SUITE 1, 2 & 3 4446 WASHINGTON RD, SUITE 12MADISON HEIGHTS MI 48071EVANS GA 30809EVANS GA 30809EVANS GA 30809

CHARLES W. WILLSDH FORD, LLCRONALD SHUNIAKLOSINSKI OVERSTREET, LLP32600 STEPHENSON HWY1875 KINSEL7 GEORGE WILSON COURTMADISON HEIGHTS MI 48071WALLED LAKE MI 48390 AUGUSTA, GA 30909

AMERICAN FAMILY MUTUAL INSURANCEIAMOND HOLDINGS II, LLCSCOTT LESSER, ESQ4446 WASHINGTON ROAD, SUITE 1632600 STEPHENS HWYMILLER CANFIELDEVANS GA 30809MADISON HEIGHTS MI 48071840 W. LONG LAKE ROAD, SUITE0

AMERICAN FAMILY MUTUAL INSURANCE IAMOND HOLDINGS, LLCTHEODORE A. SCHULTZ DBA TR4446 WASHINGTON RD, SUITE 15, 16, 132600 STEPHENS HWY4446 WASHINGTON RD, SUITE 120 EVANS GA 30809 MADISON HEIGHTS MI 48071

BANK OF AMERICA, N.A.EMMET DENHA2600 WEST BIG BEAVER ROAD1350 ORCHARD RIDGE M18-900-04-20 TROY MI 48084

BLOOMFIELD HILLS MI 48304

UNITED STATES OF AMERICA DA 4446 WASHINGTON RD, SUITE 4 EVANS GA 30809

4446 WASHINGTON RD, SUITE 1820

TROY MI 48098

EVANS GA 30809

BLANCHARD AND CALHOUN COMMERCHALEWOOD, LLC 2743 PERIMETER PARKWAY4446 WASHINGTON RD, SUITE 5WILLIAM J. FOWLERBUILDING 100, SUITE 370EVANS GA 30809FARMINGTON MI 48331 AUGUSTA GA 30909

WILLIAM J. FOWLER

BRADLEY J. BREECE, ESQJOHN ARCORITOURTMAN SANDERS, LLP15420 WINDMILL DRIVE600 PEACHTREE STREET, N.E.MACOMB MI 48044ATLANTA CA 20200 20102010 ATLANTA GA 30308-2216

BRYAN COLLINS DBA POSH SALON OF DESTEARING ARCORI 4446 WASHINGTON RD, SUITE 13 47507 MILONAS DRIVE EVANS GA 30809 SHELBY TWP MI 48315

CAO THANH NGUYEN DBA CLASSIC NAMUSIALARCORI 4446 WASHINGTON RD, SUITE 6 32451 ROCK RIDGE EVANS GA 30809 FARMINGTON MI 48334

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### United States Bankruptcy Court Southern District of Georgia

In re **DH-EVANS, LLC** 

Debtor(s)

Case No. Chapter

11

### **CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for <u>DH-EVANS, LLC</u> in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

February 4, 2013

Date

/s/ Charles W. Wills Charles W. Wills Signature of Attorney or Litigant Counsel for DH-EVANS, LLC Klosinski Overstreet, LLP 7 George Wilson Court Augusta, GA 30909 706-863-2255 cwills@klosinski.com