B1 (Official)	Form 1)(12	/11)											
			United Sou		S Banki District						Vo!	luntary	Petition
			er Last, First, <b>And Servi</b>	,			Name	of Joint De	ebtor (Spouse	) (Last, First	, Middle):		
All Other Na (include mar	All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):							used by the J maiden, and			8 years		
58-2671	330		vidual-Taxpa Street, City, a			Complete E	(if more	than one, state	f Soc. Sec. or all)				o./Complete EIN
	ghn Roa	d											
Augusta	a, GA					ZIP Code							ZIP Code
						30907							
County of R		of the Prin	cipal Place o	f Busines:	s:		Count	y of Reside	ence or of the	Principal Pla	ice of Busi	iness:	
		t ('£ 1'££-	rent from str	4 1 . 1	>-		Moilir	a Addrass	of Joint Debt	or (if diffora	nt from str	ant addraga):	
P.O. Box		otor (11 diffe	rent from str	eet addres	ss):		Maiiii	ig Address	or Joint Debi	or (ii differe	it iroin su	eet address).	
Evans, 0													
					Г	ZIP Code 30809							ZIP Code
Location of (if different)							•						
	Type of	Debtor			Nature	of Business			Chapter	of Bankrup	tcy Code	Under Whi	ch
(Form	of Organizati			Ппп	(Check lth Care Bu	one box)		the Petition is Filed (Check one box)					
See Exhib	it D on page	2 of this form	n.	Sing	gle Asset Re	eal Estate as	defined	☐ Chapt☐		☐ C	napter 15 I	Petition for R	Recognition
Corporat  Partnersh		es LLC and	LLP)		in 11 U.S.C. § 101 (51B)  Railroad			Chapt		of	a Foreign	Main Proce	eding
Other (If	debtor is not			☐ Stockbroker				☐ Chapt☐ Chapt☐				Petition for R Nonmain Pr	
check this	box and stat	e type of enti	ity below.)	☐ Commodity Broker☐ Clearing Bank			П Спарі	el 13	01	u i oreign	110111111111111111	occount	
	Chapter 1	5 Debtors		Oth						Natur	e of Debts		
Country of de	_					mpt Entity		] □ Debts :	are primarily co		k one box)	Debts	s are primarily
Each country by, regarding				unde	tor is a tax-exer Title 26 of e (the Interna	the United St	zation tates	defined	I in 11 U.S.C. § ed by an indivional, family, or	101(8) as dual primarily	for	_	ness debts.
	Fil	ling Fee (C	heck one box	()		Check	one box:		Chap	ter 11 Debt	ors		
Full Filing	g Fee attached	i							debtor as defir				
			(applicable to art's considerat			Check	if:					` ′	
debtor is t	unable to pay		n installments.										ders or affiliates) ee years thereafter).
Form 3A.		acted (cmmlice	oblo to oboutou	7 in dividu	ala anivi). Mu	Check	all applicable	e boxes:		<u> </u>			
			able to chapter art's considerat			SB.   🗖 🕹	Acceptances	of the plan w	this petition. were solicited pr S.C. § 1126(b).	repetition from	one or mor	re classes of cr	reditors,
Statistical/A				C 1:	1 .: .	1	1".			THIS	SPACE IS	FOR COURT	USE ONLY
Debtor e	stimates tha	t, after any	l be available exempt prop for distribut	erty is ex	cluded and	administrat		es paid,					
Estimated N	_	_	П	П	П	п	п	п	П				
1- 49	□ 50- 99	100- 199	200-	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated A		199	999	3,000	10,000	23,000	30,000	100,000	100,000				
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					
Estimated Li	iabilities		mmon		mmon	minon	minon			1			
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					

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**B1** (Official Form 1)(12/11) Page 2 Name of Debtor(s): Voluntary Petition Wagaman's HVAC Sales And Services, Inc. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(12/11) Page 3

# **Voluntary Petition**

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

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

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

 $\mathbf{X}$ 

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

#### X /s/ Todd Boudreaux

Signature of Attorney for Debtor(s)

#### Todd Boudreaux 070023

Printed Name of Attorney for Debtor(s)

#### **Shepard Plunkett**

Firm Name

7013 Evans Town Center Blvd Suite 303 Evans, GA 30809

Address

#### 706-869-1334 Fax: 706-868-6788

Telephone Number

## March 1, 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.

#### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

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

#### x /s/ Matt Wagaman

Signature of Authorized Individual

#### Matt Wagaman

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

#### March 1, 2013

Date

Name of Debtor(s):

Wagaman's HVAC Sales And Services, Inc.

## Signatures

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Date

Address

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.

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

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

In re	Wagaman's HVAC Sales And Services, Inc.		Case No.	
		Debtor(s)	Chapter	11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
21 Queensboro National Bank & Trust Co Evans Branch 4321 Washington Road Evans, GA 30809	21 Queensboro National Bank & Trust Co Evans Branch 4321 Washington Road Evans, GA 30809	Business Loan		126,000.00
Access Business Loans 242 W. 36th Street 14th Floor New York, NY 10018	Access Business Loans 242 W. 36th Street 14th Floor New York, NY 10018			40,000.00
Ally Bank P.O. Box 9001951 Louisville, KY 40290	Ally Bank P.O. Box 9001951 Louisville, KY 40290	2011 Chevrolet Silverado		25,000.00 (24,000.00 secured) (25,000.00 senior lien)
Ally Bank P.O. Box 9001951 Louisville, KY 40290	Ally Bank P.O. Box 9001951 Louisville, KY 40290	2011 GMC Canyon		13,500.00 (9,000.00 secured) (13,500.00 senior lien)
Ally Bank P.O. Box 9001951 Louisville, KY 40290	Ally Bank P.O. Box 9001951 Louisville, KY 40290	2011 GMC Canyon		13,500.00 (9,000.00 secured) (13,500.00 senior lien)
Applied Thermal Resources P.O. Box 2208 Roswell, GA 30077	Applied Thermal Resources P.O. Box 2208 Roswell, GA 30077			2,000.00
Auto Owners P.O. Box 100044 Duluth, GA 30096	Auto Owners P.O. Box 100044 Duluth, GA 30096			2,351.88
BP Business Solutions P.O. Box 70995 Charlotte, NC 28272	BP Business Solutions P.O. Box 70995 Charlotte, NC 28272			4,415.53
Commercial Controls of GA, Inc. P.O. Box 2608 Norcross, GA 30091	Commercial Controls of GA, Inc. P.O. Box 2608 Norcross, GA 30091			4,763.60

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B4 (Official Form 4) (12/07) - Cont.							
In re	Wagaman's HVAC Sales And Services, Inc.	Case No.					
	Debtor(s)						

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
East Coast P.O. Box 277387	East Coast P.O. Box 277387			1,514.55
Atlanta, GA 30384 Epting Distributors 3716 Benchmark Dr. Augusta, GA 30909	Atlanta, GA 30384 Epting Distributors 3716 Benchmark Dr. Augusta, GA 30909			90,574.16
Ferguson Enerprises, Inc. P.O.Box 100286 Atlanta, GA 30384	Ferguson Enerprises, Inc. P.O.Box 100286 Atlanta. GA 30384			17,498.81
Garrett Callahan 4545 Commerce Circle Atlanta, GA 30336	Garrett Callahan 4545 Commerce Circle Atlanta, GA 30336			15,323.47
Mingledorffs P.O. Box 2608 Norcross, GA 30091	Mingledorffs P.O. Box 2608 Norcross, GA 30091			76,226.16
Mingledorffs - 1099 ColCoWaterUtility P.O. Box 2608 Norcross, GA 30091	Mingledorffs - 1099 ColCoWaterUtility P.O. Box 2608 Norcross, GA 30091			13,533.03
Mingledorffs-1100 FtStewart P.O. Box 2608 Norcross, GA 30091	Mingledorffs-1100 FtStewart P.O. Box 2608 Norcross, GA 30091			12,556.60
Mingledorffs-Wheaton P.O. Box 2608 Norcross, GA 30091	Mingledorffs-Wheaton P.O. Box 2608 Norcross, GA 30091			12,948.91
On Deck Capital 4600 Fairfax Drive Arlington, VA 22202	On Deck Capital 4600 Fairfax Drive Arlington, VA 22202		Disputed	29,200.00
Trane Parts P.O. Tox 406469 Atlanta, GA 30384	Trane Parts P.O. Tox 406469 Atlanta, GA 30384			44,425.44
United Refrigeration P.O. Box 740703 Atlanta, GA 30374	United Refrigeration P.O. Box 740703 Atlanta, GA 30374			6,193.93

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Wagaman's HVAC Sales And Services, Inc.	Case No.	
	Debtor(s)		,

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

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

Date	March 1, 2013	Signature	/s/ Matt Wagaman
			Matt Wagaman
			President

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

WAGAMAN'S HVAC SALES AND SERVIQUES, OINCONNERS P.O. BOX 2595 P.O. BOX 100044 **EVANS GA 30809** 

ERYCSON CONSTRUCTION CO.,IN 477 S. OLD BELAIR RD DULUTH GA 30096 **GROVETOWN GA 30813** 

TODD BOUDREAUX

SHEPARD PLUNKETT

7013 EVANS TOWN CENTER BLVD

BAKER DISTRIBUTING
P.O. BOX 409635

ATLANTA GA 30384 SUITE 303 EVANS, GA 30809

FERGUSON ENERPRISES, INC. P.O.BOX 100286 ATLANTA GA 30384

21 QUEENSBORO NATIONAL BANK & TRUSTUSCIONESS SOLUTIONS EVANS BRANCH 4321 WASHINGTON ROAD **EVANS GA 30809** 

P.O. BOX 70995 CHARLOTTE NC 28272

FLEETMATICS P.O. BOX 347472 PITTSBURGH PA 15251

ACCESS BUSINESS LOANS 242 W. 36TH STREET 14TH FLOOR NEW YORK NY 10018

CAPITAL ONE P.O. BOX 71083 CHARLOTTE NO 20070 CHARLOTTE NC 28272

FOX APPLIANCE PARTS P.O. BOX 14369 AUGUSTA GA 30919

ACCURATE MESSAGES, INC 801 SHARTON DRIVE AUGUSTA GA 30907

CC DICKSON CO P.O. BOX 13501 ROCK HILL SC 29731

GA POWER 96 ANNEX ATLANTA GA 30396

ALLY P.O. BOX 9001951 LOUISVILLE KY 40290 CINTAS CORPORATION P.O. BOX 2608 NORCROSS GA 30091

GARRETT CALLAHAN 4545 COMMERCE CIRCLE ATLANTA GA 30336

ALLY BANK P.O. BOX 9001951 LOUISVILLE KY 40290

COMMERCIAL CONTROLS OF GA, INC. HOLDEN & ASSOCIATES P.O. BOX 2608 P.O. BOX 2608 NORCROSS GA 30091 NORCROSS GA 30091

APPLIED THERMAL RESOURCES EAST COAST P.O. BOX 2208 ROSWELL GA 30077

P.O. BOX 277387 ATLANTA GA 30384

JIFFY LUBE P.O. BOX 211042 AUGUSTA GA 30917

AT&T P.O. BOX 105262 ATLANTA GA 30348 EPTING DISTRIBUTORS 3716 BENCHMARK DR. AUGUSTA GA 30909

MINGLEDORFFS P.O. BOX 2608 NORCROSS GA 30091

MINGLEDORFFS - 1099 COLCOWATERUTNITTED REFRIGERATION

P.O. BOX 2608 P.O. BOX 740703 NORCROSS GA 30091 ATLANTA GA 30374

MINGLEDORFFS-1100 FTSTEWART

P.O. BOX 2608 NORCROSS GA 30091 VAPOR TEST AND BALANCE CO, LLC

P.O. BOX 360 GILBERT SC 29084

MINGLEDORFFS-WHEATON

P.O. BOX 2608 NORCROSS GA 30091 WRIGHTSBORO SUPPLY

P.O. BOX 15756 AUGUSTA GA 30919

ON DECK CAPITAL

4600 FAIRFAX DRIVE ARLINGTON VA 22202 P.O. BOX 105024 ATLANTA GA 30348

ΥP

PRECISION WASTE SERVICES P.O. BOX 446 THOMSON GA 30824

THE HARTFORD P.O. BOX 660916 DALLAS TX 75266

TOM BARROW COMPANY P.O. BOX 116406 ATLANTA GA 30368

TRANE EQUIPMENT P.O. BOX 406469 ATLANTA GA 30384

TRANE PARTS P.O. TOX 406469 ATLANTA GA 30384 Case: 13-10379-SDB Doc#:1 Filed:03/01/13 Page:9 of 9

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

In re	Wagaman's HVAC Sales And Services,	Inc.	Case No.	
		Debtor(s)	Chapter 11	
	CORPORATE O	OWNERSHIP STATEMENT	(RULE 7007.1)	
	ant to Federal Rule of Bankruptcy Proceed			
	usal, the undersigned counsel for <b>Waga</b> es that the following is a (are) corporation			
	est that the following is a (are) corporation of the corporation of th		•	•
	under FRBP 7007.1:	une corporation s(s) equity into	20010, 02 800000 0000 00000 0000 000	
Nor	ne [ <i>Check if applicable</i> ]			
<b>–</b> 1101	не [Спеск у иррисионе]			
March	1, 2013	/s/ Todd Boudreaux		
Date	<u> </u>	Todd Boudreaux 070023		
		Signature of Attorney or Litig		
		Counsel for Wagaman's HV	AC Sales And Services, Inc.	
		Shepard Plunkett 7013 Evans Town Center Blvd		
		Suite 303		
		Evans GA 20900		

706-869-1334 Fax:706-868-6788