B1 (Official Form 1) (04/13) UNITED STATES BANKRUPTCY COURT **VOLUNTARY PETITION** District of Hawaii Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): **Dairy Road Partners** All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): (if more than one, state all): 99-0240012 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 370 Dairy Road Kahului, Hawaii ZIP CODE 96732 ZIP CODE County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (Form of Organization) (Check one box.) the Petition is Filed (Check one box.) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Individual (includes Joint Debtors) Single Asset Real Estate as defined in Chapter 9 Recognition of a Foreign See Exhibit D on page 2 of this form. 11 U.S.C. § 101(51B) Chapter 11 Main Proceeding Corporation (includes LLC and LLP) Railroad Chapter 12 Chapter 15 Petition for Partnership Stockbroker Chapter 13 Recognition of a Foreign Other (If debtor is not one of the above entities, check Commodity Broker Nonmain Proceeding this box and state type of entity below.) Clearing Bank Chapter 15 Debtors Tax-Exempt Entity Nature of Debts (Check box, if applicable.) Country of debtor's center of main interests: (Check one box.) Debts are primarily consumer Debts are Debtor is a tax-exempt organization debts, defined in 11 U.S.C. primarily Each country in which a foreign proceeding by, regarding, or under title 26 of the United States § 101(8) as "incurred by an business debts. against debtor is pending: Code (the Internal Revenue Code). individual primarily for a personal, family, or household purpose." Filing Fee (Check one box.) Chapter 11 Debtors Check one box: X Full Filing Fee attached. Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is Check if: unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment Filing Fee waiver requested (applicable to chapter 7 individuals only). Must on 4/01/16 and every three years thereafter). attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes: A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b) Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Z Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 1-49 50-99 100-199 200-999 1,000-5,001-10,001-25,001-50,001-Over 5,000 10,000 25,000 50,000 100,000 100,000 Estimated Assets \$1,000,001 \$0 to \$50,001 to \$100,001 to \$500,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million million million million **Estimated Liabilities** \$50,001 to \$0 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,000 to \$10 u Hawaii to.#13-0113800Dkt #o.f.500Filed 07/03/43 Pagen1

B1 (Official Form			Page 2		
Voluntary Petit (This page must	at be completed and filed in every case.)	Name of Debtor(s): Dairy Road Partners			
Location	All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)				
Where Filed:		Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Name of Debtor	Pending Bankruptcy Case Filed by any Spouse, Partner, or Af r:	ffiliate of this Debtor (If more than one, attach a  Case Number:	additional sheet.)  Date Filed:		
District:		Relationship:	Judge:		
District		Relationship.	Judge:		
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)		Exhibit  (To be completed if debte whose debts are primarily  I, the attorney for the petitioner named in the informed the petitioner that [he or she] may pof title 11, United States Code, and have exp such chapter. I further certify that I have deliby 11 U.S.C. § 342(b).	tor is an individual y consumer debts.)  the foregoing petition, declare that I have proceed under chapter 7, 11, 12, or 13 plained the relief available under each		
Exhibit A	A is attached and made a part of this petition.	X CHARLES TO THE CONTRACT OF T			
		Signature of Attorney for Debtor(s) (	(Date)		
220 220 920	Exhib rown or have possession of any property that poses or is alleged to pose		ablic health or safety?		
	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 (Check any app				
ď	Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 day	of business, or principal assets in this District	for 180 days immediately		
	There is a bankruptcy case concerning debtor's affiliate, general partr	mer, 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 (Check all applie				
	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 with 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 certif	ification. (11 U.S.C. § 362(I)).	D O = £ 4.4		

31 (Official Form 1) (04/15)	N CDAMACAN		
Voluntary Petition (This page must be completed and filed in every case.)	Name of Debtor(s): Dairy Road Partners		
	atures		
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative		
I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7]. I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptey petition preparer signs the petition]. I have obtained and read the notice required by 11 U.S.C. § 342(b).  I request relief in accordance with the chapter of title 11. United States Code, specified in this petition.	I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.  (Check only one box.)  I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 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 Debtor	X (Signature of Forcign Representative)		
Signature of Joint Debtor  Telephone Number (if not represented by attorney)	(Printed Name of Foreign Representative)		
Date A . A	Date		
Signature of Attorney for Debtor(s) Jerrold K. Guben, Esq.  Printed Name of Attorney for Debtor(s) O'Connor Playdon & Guben LLP  Firm Name  733 Bishop Streett, Suite 2400 Honolulu, Hawaii 96813  Address (808) 524-8350  Telephone Number  *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)	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 bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)		
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  The debtor requests the relief in accordance with the chapter of title II, United States Code, specified in this petition.  X  Signature of Authorized Individual Glenn M. Nakamura  Printed Name of Authorized Individual  Title of Authorized Individual  Date	Address  X Signature  Date  Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.  Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual		
	If more than one person prepared this document, attach 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		

# PARTNERSHIP RESOLUTION OF DAIRY ROAD PARTNERS

WHEREAS, the Officer(s) of DAIRY ROAD PARTNERS ("DRP"), at a meeting held at 370 Dairy Road, Kahului Hawaii on Monday, May 13, 2013, upon recommendation of the officers of the Company, and upon the recommendation of the PARTNERSHIP's professional advisors, has determined that is desirable, fair, reasonable, and in the best interest of the partnership and the partnership's creditors and other interested parties for Company to file a petition seeking relief under the provisions of Chapter 11 of Title 11, United States Code ("Bankruptcy Code").

#### NOW, THEREFORE, BE IT

# 1. Filing and Prosecution of Bankruptcy Case.

RESOLVED, that it is desirable and in the best interest of the partnership and its creditors, stockholders, and other interested parties to authorize the President and Treasurer, or either of them, to cause to be filed a petition in the name of the Partnership ("Chapter 11 Petition") seeking relief under the provisions of Chapter 11 of the Bankruptcy Code ("Chapter 11 case"); and it is further

RESOLVED, that the General Partner or managing partner be, and each hereby is, authorized and directed to execute the Chapter 11 Petition and to cause the same to be filed in the United States Bankruptcy Court for the District of Hawaii ("Bankruptcy Court"), in such form and at such time as such officer(s) shall determine; and it is further

RESOLVED, that the General Partner and/or managing partner, or such other officer(s) of the partnership as they shall from time to time designate ("Authorized Officers"), be, and each hereby is, authorized and directed to take all actions necessary to restructure the financial affairs of the partnership, including causing to be filed in the bankruptcy case a Disclosure Statement and a Plan of Reorganization ("Plan"), and to seek confirmation of the Plan by the Bankruptcy Court, with such amendments as may be required by the Bankruptcy Court; and it is further

RESOLVED, that the Authorized Officers be, and each hereby is, authorized to execute and file (or direct others to do so on behalf of the partnership as provided herein) all necessary documents, including, without limitation, all petitions, affidavits, schedules, motions, lists, applications, pleadings and other papers, and in connection therewith, to employ and retain all assistance by legal counsel, accountants or other professionals and to take any and all action which they deem necessary and proper in connection with the Chapter 11 case.

## 2. Employment of Professionals.

RESOLVED, that the law firm of O'Connor Playdon & Guben LLP hereby are employed as bankruptcy counsel for the partnership in the Chapter 11 case, and the Authorized Officers of the partnership are hereby authorized and directed to execute appropriate agreements, upon the filing of a Chapter 11 case and cause to be filed an appropriate application for authority to retain the services of O'Connor Playdon & Guben LLP; and it is further

RESOLVED, that the Authorized Officers of the partnership be, and they hereby are, authorized and directed to retain any other firm as professionals or consultants to the partnership as are deemed necessary to represent and assist the partnership in carrying out its duties under the Bankruptcy Code and, in connection therewith, the Authorized Officers of the partnership are hereby authorized and directed to execute appropriate agreements and cause to be filed an appropriate application for authority to retain the services of such firm; and it is further

RESOLVED, that all acts lawfully done or actions lawfully taken by any Authorized Officer to seek relief under Chapter 11 of the Bankruptcy Code or in connection with the Chapter 11 case, or any matter related thereto, be, and hereby are, adopted, ratified, confirmed and approved in all respects as the acts and deeds of the partnership; and it is further

## 3. General Authorizing, Resolution.

RESOLVED, that the General Partner and/or managing partner be, and each of them, with full authority to act without the others, hereby is authorized and directed, in the name of and on behalf of the partnership, under the partnership's seal or otherwise, to make, enter into, execute, deliver and file any and all other or further agreements, documents, certificates, materials and instruments, to disburse funds of the partnership, to take or cause to be taken any and all other actions, and to incur all such fees and expenses as any such officer deems to be necessary, appropriate or advisable to carry out the purposes of the

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foregoing resolutions and the transactions contemplated thereunder and/or to successfully complete a Chapter 11 case, the taking of any such action to constitute conclusive evidence of the exercise of such discretionary authority; and it is further

RESOLVED, that all authorized actions, transactions, or agreements undertaken prior to the adoption of these resolutions by any officer of the partnership on behalf of the partnership in connection with the foregoing matters are hereby authorized, approved, ratified, confirmed and adopted as the acts of the partnership; and it is further

RESOLVED, that the Authorized Officers be, and each of them hereby is, authorized, empowered and directed to certify and attest any documents or materials which they deem necessary, desirable or appropriate to consummate the transactions contemplated by the foregoing resolutions, without the necessity of the signature or attestation of any other officer or the affixing of any seal of the partnership.

## 4. <u>Designation of Responsible Person</u>.

RESOLVED, that Glenn Nakamura be and hereby appointed as the person responsible for performing the duties and responsibilities of the debtor in the proposed Chapter 11 proceeding.

The undersigned does hereby further certify that the foregoing resolution are in full force and effect as of the date hereof.

DATED: May 13, 2013.

By its General Partner and/or Managing Parnter of Dairy Road Partners

Debtor: Dairy Road Partners	Case No. (if known):
	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 and Fed. R. Bankr. P. 1007(m).

	(1) ame of creditor and complete mailing address cluding zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim [if secured also state value of security]
1	HRT Realty, LLC 3660 Waialae Avenue, Suite 400 Honolulu, HI 96816	HRT Realty, LLC 3660 Waialae Avenue, Suite 400 Honolulu, HI 96816			256,632.38
2	Case, Lombardi & Pettit 737 Bishop Street, Suite 2600 Honolulu, HI 96819	Case, Lombardi & Pettit 737 Bishop Street, Suite 2600 Honolulu, HI 96819	Legal		128,701.68
3	Dennis Blake 98-1464 Akaaka Street Aiea, HI 96701	Dennis Blake 98-1464 Akaaka Street Aiea, HI 96701	Trade		23,649.66
4	Fujieki, Fukuhara & Co., CPA, Inc. 1585 Kapiolani Boulevard, Suite 1218 Honolulu, HI 96814	Fujieki, Fukuhara & Co., CPA, Inc. 1585 Kapiolani Boulevard, Suite 1218 Honolulu, HI 96814	СРА		10,437.02
5	Guy Haywood 2121 Main Street Wailuku, HI 96793	Guy Haywood 2121 Main Street Wailuku, HI 96793	Legal	11	4,803.76
6	Business Insurance Services 140 North Market Street Wailuku, HI 96793	Business Insurance Services 140 North Market Street Wailuku, HI 96793	Insurance		3,662.00
7	IPFS Corporation 210 W. North River Drive, Suite 201 Spokane, WA 99201	IPFS Corporation 210 W. North River Drive, Suite 201 Spokane, WA 99201	Insurance		234.92
8					
9					
10					

Debtor: Dairy Road Partners

Date: 1/3/2013

Case No. (if known):

Chapter 11

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Glenn Nakamura / Managing Member

Print Name and Title

American Savings Bank P.O. Box 2300 Honolulu, HI 96804

Business Insurance Services 140 North Market Street Wailuku, HI 96793

Bowman Termite & Pest Control 253 Waiehu Beach Road Wailuku, HI 96793

Case, Lombardi & Pettit 737 Bishop Street, Suite 2600 Honolulu, HI 96819

Coi-Matic Industrial Supply 305-A Dairy Road Kahuilui, HI 96732

Dennis Blake 98-1464 Akaaka Street Aiea, HI 96701

Fujieki, Fukuhara & Co., CPA, Inc. 1585 Kapiolani Boulevard, Suite 1218 Honolulu, HI 96814

Guy Haywood 2121 Main Street Wailuku, HI 96793

Hawaii State Collector P.O. Box 1427 Wailuku, HI 96793 HRT Realty, LLC 3660 Waialae Avenue, Suite 400 Honolulu, HI 96816

IPFS Corporation 210 W. North River Drive, Suite 201 Spokane, WA 99201

M. Nakai Repair 288 Mokauea Street Honolulu, HI 96819

Maui Disposal Co., Inc. P.O. Box 1628 Kahului, HI 96732

Tarvn R. Schuman, CPA, Inc. P.O. Box 4409 Honolulu, HI 96812 Filer's Name, Address, Phone, email:
O'CONNOR PLAYDON & GUBEN LLP
JERROLD K. GUBEN 3107-0
JEFFERY S. FLORES 8691.0
733 Bishop Street, Suite 2400
Honolulu, Hawaii 96813
Telephone: (808) 524-8350
jkg@opglaw.com; jsf@opglaw.com



Attorneys for Debtor, Dairy Road Partners

Debtor(s): Dairy Road Partners	C	hapter 11	Case No.
DEBTOR'S VERIFICA	TION OF CREDITO	R LIST	
The undersigned debtor certifies under penalty schedules D, E, F, G, and H have been listed in the crall my creditors, parties to leases and executory con-	editor list submitte	ed with this ve	
I also certify that the names and addresses of the knowledge.	ne listed entities ar	re true and co	orrect to the best of my
I understand that I must file an amended credito parties listed in my schedules who have not been in		nendment fee	if there are creditors or
/s/Glenn Nakamura	/s/		
Dated: 7/3/2013	Dated:		