Case 13-90766 Doc 1 B1 (Official Form 1) (04/13)		06/10/13	Entered 06 Page 1 of 3	/10/13 14:52:3 4	0 Б	Desc Main		
United States Bankruptcy Court Central District of Illinois Volunta								
Name of Debtor (if individual, enter Last, First, Midd Birky Farms, Inc.		Name of Joint Debtor (Spouse) (Last, First, Middle):						
All Other Names used by the Debtor in the last 8 yea (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four digits of Soc. Sec. or Individual-Taxpayer I (if more than one, state all): 37-1348041	D. (ITIN) /Com	plete EIN	Last four digits of S (if more than one, s		axpayer	I.D. (ITIN) /Complete EIN		
Street Address of Debtor (No. & Street, City, State & P.O. Box 2465 Champaign, IL		Street Address of Jo	oint Debtor (No. & Stree	t, City, S	State & Zip Code):			
Champaign, iL	ZIPCODE 618	825				ZIPCODE		
County of Residence or of the Principal Place of Business:  Champaign  County of Residence or of the Principal Place of Business:								
Mailing Address of Debtor (if different from street ad		Mailing Address of Joint Debtor (if different from street address):						
	ZIPCODE				ZIPCODE			
Location of Principal Assets of Business Debtor (if d	ifferent from str	eet address abo	ove):					
Post Office Box 2465, Champaign, IL						ZIPCODE 61825		
Type of Debtor (Form of Organization) (Check one box.)  Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.)  Chapter 15 Debtor Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	Single As U.S.C. § Railroad Stockbrol Commod Clearing Other  Debtor is Title 26 of	101(51B) Ker ity Broker Bank  Tax-Exempt Check box, if at a tax-exempt of the United St	e as defined in 11  Entity pplicable.) organization under tates Code (the	the Petition  Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13  Debts are primarily debts, defined in 1 § 101(8) as "incurr individual primarily personal, family, or	U.S.C. business debts. ed by an y for a			
Filing Fee (Check one box)	Internal R	Revenue Code).		hold purpose."  Chapter 11 Debtors				
Full Filing Fee attached  Filing Fee to be paid in installments (Applicable to only). Must attach signed application for the court consideration certifying that the debtor is unable to except in installments. Rule 1006(b). See Official	s pay fee Form 3A.	Debtor is  Check if: Debtor's as than \$2,490	a small business debt not a small business of ggregate noncontingent li 0,925 (amount subject to	or as defined in 11 U.S.0 debtor as defined in 11 U	C. § 101 J.S.C. § ebts ower	101(51D).  d to insiders or affiliates) are less		
Filing Fee waiver requested (Applicable to chapter only) Must attach signed application for the court	1 -	Check all applicable boxes:						

Filing Fee (Check one box)						Chapter 11 Debtors						
<b>√</b> Full F	Filing Fee att	ached				Check one box:  Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).						
Filing Fee to be paid in installments (Applicable to individuals					Debt.	Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).						
only).	Must attach	signed applic	cation for the	court's	Check i	f:						
				ble to pay fee icial 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 on 4/01/16 and every three years thereafter).						
Filing	Fee waiver	requested (Ap	oplicable to ch	apter 7 individu	als Check a	ıll applicable box	kes:					
			cation for the	court's		an is being filed w						
consid	deration. See	Official Forn	n 3B.					prepetition from	one or more	classes of creditors, in		
~					accor	dance with 11 U.	S.C. § 1126(b).					
		trative Infor		fon distailantisa		ua ditaua				THIS SPACE IS FOR COURT USE ONLY		
					to unsecured c	ative expenses pa	id there will be n	o funds availabl	e for	COURT USE ONE!		
		secured credi		ocity is excluded	a una uammistr	анте скрепаса ра	ia, mere win se n	o ranas avanas.	101			
Estimate	d Number of	Creditors										
$\checkmark$												
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			
Estimate	d Assets	_	_		_	_	_		_			
Ц	Ц	Ц		<b>✓</b>	Ш							
\$0 to	,	,	,	\$1,000,001 to	\$10,000,001	\$50,000,001 to	\$100,000,001	\$500,000,001	More than			
	\$100,000	\$500,000	\$1 million	\$10 million	to \$50 million	\$100 million	to \$500 million	to \$1 billion	\$1 billion			
_	d Liabilities			<b>□</b> ⁄								
£0.4-	□ ¢50,001,4-	©100 001 to	© 000 001 to	\$1,000,001 to	£10,000,001	□ ¢50,000,001,4-	£100,000,001	¢500,000,001	∐ Mana 4han			
\$0 to \$50,000		\$100,001 to \$500,000	\$500,001 to \$1 million	\$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	More than \$1 billion			
Ψ20,000	Ψ100,000	Ψ500,000	ΨΙΠΠΠΟΠ	Ψ10 ΠΠΠΟΠ	to φου million	φτου πιπιοπ	to \$500 minion	το φτ σιπιοπ	ψισπιοπ			

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Case 13-90766

B1 (Official Form 1) (04/13) Page 2 Document Page 2 of 34 Name of Debtor(s): Voluntary Petition Birky Farms, Inc. (This page must be completed and filed in every case) All Prior Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Date Filed: Location 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 required to file periodic reports (e.g., forms (To be completed if debtor is an individual 10K and 10Q) with the Securities and Exchange Commission pursuant to whose debts are primarily consumer debts.) Section 13 or 15(d) of the Securities Exchange Act of 1934 and is I, the attorney for the petitioner named in the foregoing petition, declare requesting relief under chapter 11.) that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have Exhibit A is attached and made a part of this petition. explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b). X 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 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 a 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)).

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June 10, 2013

Date

Case 13-90766 Doc 1 Filed 06/10/13 B1 (Official Form 1) (04/13) Document	Entered 06/10/13 14:52:30 Desc Main Page 3 of 34 Page 3							
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Birky Farms, Inc.							
	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 bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).  I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X  Signature of Debtor  X  Signature of Joint Debtor	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  Printed Name of Foreign Representative							
Telephone Number (If not represented by attorney)  Date	Date							
Signature of Attorney*	Signature of Non-Attorney Petition Preparer							
X /s/ Nicolas J. Boileau Signature of Attorney for Debtor(s)  Nicolas J. Boileau 6295930 Acton & Snyder, LLp 11 E. North Street Danville, IL 61832  nick.boileau@acton-snyder.com	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							
June 10, 2013	Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)							
Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Address							
Signature of Debtor (Corporation/Partnership)	X							
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.	Signature							
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 person, or partner whose social security number is provided above.							
X /s/ Ronald Watkins Signature of Authorized Individual Ronald Watkins	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:							
Printed Name of Authorized Individual  Sole Shareholder/Sole Director  Title of Authorized Individual  June 10, 2013	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.							

B6 Summary (Case 13-90766<sub>07)</sub> Doc 1

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Document Page 4 of 34 United States Bankruptcy Court

**Central District of Illinois** 

IN RE:		Case No.
Birky Farms, Inc.		Chapter 11
•	Debtor(s)	1

#### 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 also must 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 (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 225,000.00		
B - Personal Property	Yes	4	\$ 1,447,532.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	2		\$ 1,277,000.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		\$ 766,187.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No				\$
J - Current Expenditures of Individual Debtor(s)	No				\$
	TOTAL	13	\$ 1,672,532.00	\$ 2,043,187.00	

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(If known)

IN RE Birky Farms, Inc.

Debtor(s)

Doc 1

Case No.

#### **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 the 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.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
10,000 square feet office building and warehouse facility located on 2 contiguous tracts totalling 4 to 5 acres more specifically described as follows:  Tract 1:  Lot 5 in First Drummer Addition to Gibson City, situated in the City of Gibson, County of Ford and State of Illinois, as shown by a Plat recorded November 13, 1979, in Book 223 of Miscellaneous Records at pages 81 to 84 in the Recorder's Office of Ford County, Illinois.  Tract 2:  Beginning on the West line of the E 1/2 of the NE 1/4 of Section 14, Township 23 North, Range 7 East of the 3rd Principal Meridian, 958 feet South of the NW corner of said E 1/2, running thence South 366.5 feet on said West line to the center of a drainage ditch, thence 89 degrees 16 minutes 18 seconds to the left 356.54 feet on the centerline of said ditch, thence North 366.5 feet parallel with said West line, and thence West 356.54 feet to the point of beginning, situated in the City of Gibson, County of Ford and State of Illinois.			225,000.00	238,000.00

TOTAL

225,000.00

(Report also on Summary of Schedules)

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(If known)

IN RE Birky Farms, Inc.

Debtor(s)

Case No.

#### **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 the 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 O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1.	Cash on hand.	Х			
2.	Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Heartland Bank checking account #85116033 PNC Bank, N.A. checking account 46-1297-3071		0.00 0.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.		Ameren IP		132.00
4.	Household goods and furnishings, include audio, video, and computer equipment.	X			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	X			
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Northland Insurance Company - physical damage coverage - policy # TF639753  Northwestern Mutual Insurance Co Keyman insurance policy - Face Value \$250,000		5,000.00 0.00
10.	Annuities. Itemize and name each issue.	х			
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 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 and unincorporated businesses. Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	X			

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IN RE Birky Farms, Inc.

Debtor(s)

(If known)

#### SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

		N O		TFE, JOINT, AUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT
	TYPE OF PROPERTY	N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	DEDUCTING ANY SECURED CLAIM OR EXEMPTION
15.	Government and corporate bonds and other negotiable and non-negotiable instruments.	Х			
16.	Accounts receivable.		Rainbow Transportation, Inc.		150,000.00
17.	Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and		1996 Great Dane - VIN #1GRAA9629TB115009		2,000.00
	other vehicles and accessories.		1998 Utility TK SB3 - VIN #1UYVS2535WM486001		2,000.00
			1999 Utility TK SB3 - VIN #1UYVS2530XU8811303`		2,000.00
			1999 Utility TK SB3 - VIN #1UYVS2534XM051701		2,000.00
			2000 Trailmobile Car Pho - VIN # 1PT01DNH0Y9003314		4,000.00
			2000 Trailmobile Car Pho - VIN # 1PT01DNH0Y9009579		4,000.00
			2000 Trailmobile Car Pho - VIN # 1PT01DNH5Y9003311		4,000.00
			2000 Trailmobile Car Pho - VIN #1PT01DHNH2Y9009583		4,000.00
			2000 Trailmobile Car Pho - VIN#1PT01DNH0Y9009632 2000 Trailmobile TK SB3 - VIN #1P201ANH7Y9005088		4,000.00
			2000 Trailmobile TK SB3 - VIN #TP201ANH7 Y9005088 2000 Trailmobile TK SB3 - VIN# 1P201ANH9Y9005089		4,000.00 4,000.00
			2000 Utility TK SB3 - VIN # 1UYVS25301U512223		4,000.00

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IN RE Birky Farms, Inc.

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Debtor(s)

(If known)

## SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
		2000 Utility TK SB3 - VIN #1UYVS2530YU020110		4,000.00
		2000 Utility TK SB3 - VIN #1UYVS253XYU020101		4,000.00
		2000 Wabash Car Pho - VIN # 1JJV532W3YL713017		4,000.00
		2003 Stoughton - VIN # 1DW1A53233S593920		4,000.00
		2003 Stoughton - VIN # 1DW1A53263S593913		4,000.00
		2003 Stoughton - VIN #1DW1A53213S593916		4,000.00
		2003 Stoughton - VIN #1DW1A53233S593917		4,000.00
		2003 Stoughton - VIN #1DW1A532434S593912		4,000.00
		2003 Stoughton - VIN #1DW1A53243S587611		4,000.00
		2003 Stoughton - VIN #1DW1A53253S593918		4,000.00
		2003 Stoughton - VIN #1DW1A53253S593921		4,000.00
		2003 Stoughton - VIN #1DW1A53273S593919		4,000.00
		2003 Stoughton - VIN #1DW1A53283S593914		4,000.00
		2003 Stoughton - VIN #1DW1A53283S593915		4,000.00
		2004 Great Dane TK SB3 - VIN # 1GRAA06224W701156		6,000.00
		2005 International - 9400; VIN #2HSCNAPR25C014563		10,000.00
		2005 Wabash Car Ult VIN # 1 JJV532W35L942888		12,000.00
		2005 Wabash Car Ult VIN # 1 J532W65L942820		12,000.00 18,000.00
		2006 Wabash Car Ult VIN # 1JJ53W96L996701 2006 Wabash Car Ult VIN # 1JJV532WX6L996643		18,000.00
		2006 Wabash TK SB3 - VIN # 1JJV532WA6L996645		18,000.00
		2006 Wabash TK SB3 - VIN # 1JJV532W16L969654		18,000.00
		2006 Wabash TK SB3 - VIN #1JJV532W76L969657		18,000.00
		2007 Kenworth 660; VIN # 13KAD49X17J164768		27,000.00
		2007 KENWORTH 660; VIN #1XKAD49X37J164769		27,000.00
		2007 Newmar Cypress		36,000.00
		2007 Volvo - VN 770; VIN #4V4NC9TJ17N461523		20,000.00
		2007 Volvo, VN 770; VIN #4V4NC9THX7N461522		20,000.00
		2007 Wabash Car Ult VIN # 1JJV532W67L037158		20,000.00
		2007 Wabash Car Ult VIN # 1JJV532W68L037582		20,000.00
		2007 Wabash Car Ult VIN # 1JJV532W77L996746		20,000.00
		2007 Wabash Car Ult VIN # 1JJV532WX7L037146		20,000.00
		2007 Wabash Car Ult VIN #1JJV532W37L037103		20,000.00
		2007 Wabash Car Ult VIN #1JJV53W27L996752		20,000.00
		2008 Wabash - VIN # 1JJV532W58L130397		26,000.00
		2008 Wabash - VIN # 1JJV532W87L037145		26,000.00
		2008 Wabash Car Ult VIN # 1JJV532W18L037652		26,000.00
		2008 Wabash Car Ult VIN # 1JJV532W88L037650		26,000.00
		2008 Wabash Car Ult VIN # 1JJV532WX8L037651		26,000.00

IN RE Birky Farms, Inc.

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Debtor(s)

(If known)

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## SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<ul> <li>26. Boats, motors, and accessories.</li> <li>27. Aircraft and accessories.</li> <li>28. Office equipment, furnishings, and supplies.</li> <li>29. Machinery, fixtures, equipment, and supplies used in business.</li> <li>30. Inventory.</li> <li>31. Animals.</li> <li>32. Crops - growing or harvested. Give particulars.</li> <li>33. Farming equipment and implements.</li> <li>34. Farm supplies, chemicals, and feed.</li> <li>35. Other personal property of any kind not already listed. Itemize.</li> </ul>	xx xxx xxx	2008 Wabash Car Ult VIN #1JJV532W38L037653 2008 Wabash Car Ult VIN #1JJV532W48L037838 2009 Kenworth 660 - VIN #1XKAD49X49J241751 2009 Wabash Car Ult VIN #1JJV532W09L130437 2009 Wabash Car Ult VIN #1JJV532W29L130438 2010 CIMC Carrier - VIN #LJRR53261A6000026 2010 CIMC Carrier - VIN #LJRR53264A6000022 2010 CIMC Carrier - VIN #LJRR53268A6000024 2010 CIMC TK VIN #LJRR5326XA6000025 2010 Dorsey T/K VIN # 5JYRV5322AE083486 2010 Kenworth 660 - VIN #1XKAD49X0AJ271754 2010 Kenworth 660 - VIN #1XKAD49X9AJ271755 2012 CIMC Carrier - VIN #5275R5323CM000380 2012 CIMC Carrier - VIN #5275R532SCM000381  Desks, chairs, tables, file cabinets  Forklift (not functional)		26,000.00 26,000.00 45,000.00 45,000.00 45,000.00 45,000.00 68,000.00 68,000.00 50,000.00 300.00
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TOTAL 1

1,447,532.00

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IN RE Birky Farms, Inc.		Document	Page 10 01 34	Case No.		
		Debtor(s)			(If known)	

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT									
Debtor elects the exemptions to which debtor is entitled undo (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)	er: Check if debtor claims a homest	ead exemption that excee	:ds \$155,675. *						
DESCRIPTION OF PROPERTY	CDECTEY I AW DROWIDING EACH EVEMBEION	VALUE OF CLAIMED	CURRENT VALUE OF PROPERTY						

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
ot Applicable			

<sup>\*</sup> Amount subject to adjustment on 4/1/16 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

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IN RE Birky Farms, Inc

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(If known)

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

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, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the 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 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 Without Deducting Value of Collateral" 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, if Any" 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.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 3698	Х		2008 Wabash Vin #1JJV532W87L037145				34,000.00	
Community Bank 221 Bank Street, P.O. Box 70 Hoopeston, IL 60942-0070			VALUE \$ <b>52,000.00</b>					
ACCOUNT NO. 6131	$\vdash$		2007 Newmar Cypress	H	$\vdash$		32,000.00	
Fifth Third Bank (Central Indiana) P.O. Box 630778 Cincinnati, OH 45263-0778			,	-			,	
L GGGYYWWY 2004	X		VALUE \$ 36,000.00 2010 Kenworth 660; 2010 Kenworth 660;	H	$\vdash$		210,000.00	6,000.00
ACCOUNT NO. 0001  General Electric Capital Company - GE2 300 E. Carpenter Freeway, Ste. 400  Irving, TX 75062	_^		and 2010 Kenworth 660.				210,000.00	6,000.00
			VALUE \$ 204,000.00					
ACCOUNT NO. 5001  General Electric Capital Company - GE3 300 East Carpenter Freeway, Ste. 400  Irving, TX 75062	Х		2006 Wabash TK SB3; 2006 Wabash Car Ult.; 2006 Wabash Car Ult.; 2006 Wabash Tk SB3; 2006 Wabash TK SB3; 2007 Wabash Car Ult.; 2007 Wabash Car Ult.; 2007 Wabash Car Ult.; 2007 Wabash, Car Ult.; 2007 Wabash Car Ult.;				252,000.00	
1 continuation sheets attached			(Total of the	is <sub>I</sub>		e)	\$ 276,000.00	\$ 6,000.00
			(Use only on la		Tota		\$ (Report also on	\$ (If applicable, report

(Report also on Summary of Schedules.) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

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IN RE Birky Farms, Inc.

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#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

			(Continuation Sheet)					
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.	_		2007 Wabash Car Ult.; 2008 Wabash Car Ult.; 2008 Wabash Car Ult.; 2008 Wabash Car Ult.; 2008 Wabash Car Ult.; 2008 Wabash Car Ult.; 2009 Wabash Car Ult.; and 2009 Wabash Car Ult.					
	ot		VALUE \$ 400,000.00					
ACCOUNT NO. 2001  General Electric Capital Company -GE1 300 East Carpenter Freeway, Ste. 400 Irving, TX 75062	X		2007 Kenworth, 660; 2007 Kenworth 660; and 2009 Kenworth 660.				81,000.00	
			VALUE \$ 99,000.00					
ACCOUNT NO. 1001	Х		2010 Dorsey T/K; 2010 CIMC Carrier;				305,000.00	
General Electric Capital Company -GE4 300 E. Carpenter Freeway, Ste. 400 Irving, TX 75062			2010 CIMC Carrier; 2010 CIMC T/K; 2010 CIMC Carrier; 2012 CIMC Carrier; and 2012 CIMC Carrier.					
			VALUE \$ <b>325,000.00</b>					
ACCOUNT NO.  PNC Bank. N.A. P.O. Box 340777 Pittsburgh, PA 15230-7777	X		1009 South Wood Street, Gibson City, Illinois; 4.5 acres (two plots)				238,000.00	
			VALUE \$ 271,000.00	1				
ACCOUNT NO.  Weirs International 2111 Jim Neu Drive Plymouth, IN 46563			2007 Volvo, VN770; 2007 Kenworth, 660; 2010 Kenworth, 660; 2013 International, Prostar; 1998 Utility, TK SB3; 1999 Utility, TK SB3; 1999 Utility, TK SB3; 2000 Utility, TK SB3; 2000 Trailmobile, TK SB3; 2000 Trailmobile; 2000 Utility, TK SB3; 2005 Wabash, Car Ult.; 2007 Wabash, Car Ult.; 2008 Wabash.				125,000.00	83,000.00
ACCOUNT NO.	+		. 55,555.55	H	$\vdash$			
ACCOUNT NO.			VALUE \$	-				
Sheet no. 1 of 1 continuation sheets attact	ned	to		Sul	otot	al		
Schedule of Creditors Holding Secured Claims			(Total of the	is p	page	e)	\$ 1,001,000.00	\$ 83,000.00
					Tot	a1	1	

Total (Use only on last page)

89,000.00 \$ 1,277,000.00 \$ (Report also on Summary of

(If applicable, report also on Statistical Summary of Certain Liabilities and Related Schedules.) Data.)

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Debtor(s)

IN RE Birky Farms, Inc.

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#### 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.

Statistical Summary of Certain Liabilities and Related Data.
Report the total of amounts $\underline{not}$ 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 \$12,475* 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 \$6,150* 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 \$2,775* 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).
* Amounts are subject to adjustment on 4/01/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.
ocntinuation sheets attached

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IN RE Birky Farms, Inc.

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#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Doc 1

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 nonpriority claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.	П		Operating Loan		П	П	
Brian McIaws And Jeanne McIaws 642 W. Schubert Avenue, Unit A Chicago, IL 60614							15,500.00
ACCOUNT NO.	Н		Operating Loan No. 1		П	П	,
Coattails, LLC 20 Oakwood Avenue Danville, IL 61832							88,000.00
ACCOUNT NO.	Н		Operating Loan No. 2			H	00,000.00
Coattails, LLC 20 Oakwood Avenue Danville, IL 61832							250,000.00
ACCOUNT NO.	H		Operating Loan		П	H	,
Jacobs Gress 153 Michael John Drive Park Ridge, IL 60068							7,750.00
1 continuation sheets attached			(Total of th		tota		§ 361,250.00
			(Use only on last page of the completed Schedule F. Report	T	Γota	al	<del> ,</del>
			the Summary of Schedules and, if applicable, on the St Summary of Certain Liabilities and Relate	atis	tica	al	\$

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IN RE Birky Farms, Inc.

Debtor(s)

\_ Case No. \_

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

		(1	Continuation Sneet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.			Operating Loan	Н		H	
James Matthews 153 Thomas Jefferson Terrace Elkton, MD 21921			<b>5</b> - 5				15,500.00
ACCOUNT NO.	$\vdash$		Operating Loan			H	13,300.00
John Clarke And Jennifer Clarke 1014 Hadley Champaign, IL 61821							93,000.00
ACCOUNT NO.			Operating Loan			H	00,000.00
John Paulis & Mary Ann Paulis 55 St. Mary's Court Springfield, IL 62702							15,500.00
ACCOUNT NO.			Operating Loan				13,300.00
John O'Neill And Christine O'Neill 5917 Blodgett Avenue Downers Grove, IL 60516							45.50
ACCOUNT NO.			Operating Loan	Н		$\dashv$	15,500.00
Melvin Gould And Margaret Gould 1346 Green Trails Drive Naperville, IL 60540							31,000.00
ACCOUNT NO.			Operating Loan				01,000.00
Ronald Watkins 2901 Rolling Acres Champaign, IL 61822							000 007 00
ACCOUNT NO.	$\vdash$		Operating Loan	Н		$\dashv$	226,687.00
Thomas Beyer 715 Kingsbrook Glen Glen Ellyn, IL 60137			-				
Sharman Left 1 of the state of					4		7,750.00
Sheet no1 of1 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of th	Sub is p			\$ 404,937.00
			(Use only on last page of the completed Schedule F. Report the Summary of Schedules, and if applicable, on the St Summary of Certain Liabilities and Relate	als atis	tica	n al	\$ <b>766,187.00</b>

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(If known)

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#### 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).

Check this box if debtor has no executory contracts or unexpired leases

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
General Electric Capital Company 300 East Carpenter Freeway, Ste. 400 Irving, TX 75062-0000	GE Lease #8719434-001: 6) 2013 International Prostars.
General Electric Capital Company 300 East Carpenter Freeway, Ste. 400 Irving, TX 75062-0000	GE Lease #8719434-002: 5) 2013 International Prostars.

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IN RE Birky Farms, Inc.

Debtor(s)

Case No. \_\_\_\_\_(If known)

#### **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 the 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	NAME AND ADDRESS OF CREDITOR
Ronald Watkins 1901 Rolling Acres Champaign, IL 61822-0000	PNC Bank. N.A. P.O. Box 340777 Pittsburgh, PA 15230-7777  Community Bank 221 Bank Street, P.O. Box 70 Hoopeston, IL 60942-0070  General Electric Capital Company -GE1 300 East Carpenter Freeway, Ste. 400 Irving, TX 75062  General Electric Capital Company - GE3 300 East Carpenter Freeway, Ste. 400 Irving, TX 75062  General Electric Capital Company -GE4 300 E. Carpenter Freeway, Ste. 400 Irving, TX 75062  General Electric Capital Company - GE2 300 E. Carpenter Freeway, Ste. 400 Irving, TX 75062

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Debtor(s)

Case No. (If known)

#### DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have retrue and correct to the best of my knowledge,		nsisting of sheets, and that they are
Date: Sign	ature:	Debtor
Date: Sign	ature:	
		(Joint Debtor, if any) [If joint case, both spouses must sign.]
DECLARATION AND SIGNATURE C	F NON-ATTORNEY BANKRUPTCY PETITIO	N PREPARER (See 11 U.S.C. § 110)
I declare under penalty of perjury that: (1) I am compensation and have provided the debtor with a and 342 (b); and, (3) if rules or guidelines have be bankruptcy petition preparers, I have given the debt any fee from the debtor, as required by that section	copy of this document and the notices and information promulgated pursuant to 11 U.S.C. § 110(h) so notice of the maximum amount before preparing	ation required under 11 U.S.C. §§ 110(b), 110(h), setting a maximum fee for services chargeable by
Printed or Typed Name and Title, if any, of Bankruptcy Petition preparer is not an indiversponsible person, or partner who signs the documents of the property	idual, state the name, title (if any), address, and	Social Security No. (Required by 11 U.S.C. § 110.)  social security number of the officer, principal,
Address		
Signature of Bankruptcy Petition Preparer		Date
Names and Social Security numbers of all other indi is not an individual:	viduals who prepared or assisted in preparing this o	document, unless the bankruptcy petition preparer
If more than one person prepared this document, a	ttach additional signed sheets conforming to the a	appropriate Official Form for each person.
A bankruptcy petition preparer's failure to comply imprisonment or both. 11 U.S.C. § 110; 18 U.S.C.		es of Bankruptcy Procedure may result in fines or
DECLARATION UNDER PENAI	TY OF PERJURY ON BEHALF OF CORP	ORATION OR PARTNERSHIP
I, the Sole Shareholder/Sole Director	(the president or other officer o	r an authorized agent of the corporation or a
member or an authorized agent of the partners (corporation or partnership) named as debtor schedules, consisting of14 sheets (total knowledge, information, and belief.	n this case, declare under penalty of perjury	
Date: <b>June 10, 2013</b> Sign	ature: /s/ Ronald Watkins	
	Ronald Watkins	(Print or type name of individual signing on behalf of debtor)

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

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IN	NRE:		Case No.
Bi	rky Farms, Inc.		Chapter 11
	Debto	or(s)	
	DISCLOSURE OF	F COMPENSATION OF ATTORNEY	FOR DEBTOR
1.		2016(b), I certify that I am the attorney for the above-nan y, or agreed to be paid to me, for services rendered or to b ows:	
	For legal services, I have agreed to accept		\$ <b>\$ 225.00/hr</b>
	Prior to the filing of this statement I have received		\$\$6,287.00
	Balance Due		\$
2.	The source of the compensation paid to me was:	Debtor Other (specify):	
3.	The source of compensation to be paid to me is:	Debtor Other (specify):	
4.	I have not agreed to share the above-disclosed co	ompensation with any other person unless they are member	rs and associates of my law firm.
	I have agreed to share the above-disclosed comp together with a list of the names of the people sh	pensation with a person or persons who are not members of paring in the compensation, is attached.	r associates of my law firm. A copy of the agreement,
5.	In return for the above-disclosed fee, I have agreed to	render legal service for all aspects of the bankruptcy case,	including:
	b. Preparation and filing of any petition, schedules,	endering advice to the debtor in determining whether to fil statement of affairs and plan which may be required; editors and confirmation hearing, and any adjourned hearings and other contested bankruptcy matters;	
6.	By agreement with the debtor(s), the above disclosed	fee does not include the following services:	
	certify that the foregoing is a complete statement of any proceeding.	CERTIFICATION y agreement or arrangement for payment to me for represe	ntation of the debtor(s) in this bankruptcy
	June 10, 2013	/s/ Nicolas J. Boileau	
	Date	Nicolas J. Boileau 6295930 Acton & Snyder, LLp 11 E. North Street Danville, IL 61832	

nick.boileau@acton-snyder.com

#### UNITED STATES BANKRUPTCY COURT

### NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a joint case (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### **Chapter 7:** Liquidation (\$245 filing fee, \$46 administrative fee, \$15 trustee surcharge: Total fee \$306)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your

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B201A (Form 201A) (11/12) Page 2

discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

### <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$46 administrative fee: Total fee \$281)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1167 filing fee, \$46 administrative fee: Total fee \$1213)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$46 administrative fee: Total fee \$246)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at <a href="http://www.uscourts.gov/bkforms/bankruptcy\_forms.html#procedure">http://www.uscourts.gov/bkforms/bankruptcy\_forms.html#procedure</a>.

 $_{B201B\;(Form\;2}\text{Case}_{2/49}\text{3-90766}$ 

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Signature of Joint Debtor (if any)

Desc Main

Date

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**Central District of Illinois** 

IN RE:		Case No
Birky Farms, Inc.		Chapter 11
-	Debtor(s)	•

	NOTICE TO CONSUMER DEBTOR(S) ) OF THE BANKRUPTCY CODE	
Certificate of [Non-A	attorney] Bankruptcy Petition Preparer	
I, the [non-attorney] bankruptcy petition preparer signing notice, as required by § 342(b) of the Bankruptcy Code.	the debtor's petition, hereby certify that I delive	red to the debtor the attached
Printed Name and title, if any, of Bankruptcy Petition ProAddress:	petition prepa the Social Sec principal, resp	ry number (If the bankruptcy rer is not an individual, state curity number of the officer, consible person, or partner of y petition preparer.)
X	(Required by	11 U.S.C. § 110.)
Signature of Bankruptcy Petition Preparer of officer, print partner whose Social Security number is provided above		
Ce	rtificate of the Debtor	
I (We), the debtor(s), affirm that I (we) have received an	d read the attached notice, as required by § 342(b	o) of the Bankruptcy Code.
Birky Farms, Inc.	X /s/ Ronald Watkins	6/10/2013
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X	

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has NOT been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

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United States	Page 23	01 34
Central Di	strict of Illin	ois

IN RE:		Case No.
Birky Farms, Inc.		Chapter 11
	Debtor(s)	1

#### 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 and Fed. R. Bankr. P. 1007(m).

Ouestions 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; any managing agent of the debtor. 11 U.S.C. § 101(2),(31).

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

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

1,139,138.00 Birky Farms, Inc.

2011 - \$349,480

2012 - \$629,658

2013 - \$160,000

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

State the amount of income received by the debtor other than from employment, trade, profession, 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.)

#### 3. Payments to creditors

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.)

8. Losses

		d 06/10/13 Entered ocument Page 24		c Main
None	b. Debtor whose debts are not primarily consumer preceding the commencement of the case unless th \$6,255.* If the debtor is an individual, indicate with obligation or as part of an alternative repayment schedebtors filing under chapter 12 or chapter 13 must i is filed, unless the spouses are separated and a joint	debts: List each payment or othe e aggregate value of all proper n an asterisk (*) any payments the dule under a plan by an approve nclude payments and other tran	ner transfer to any creditor made with ty that constitutes or is affected by so that were made to a creditor on account d nonprofit budgeting and credit count	uch transfer is less than nt of a domestic support seling agency. (Married
	* Amount subject to adjustment on 4/01/16, and eve	ry three years thereafter with re	espect to cases commenced on or after	the date of adjustment.
			AMOUNT PAI OR VALUE C	
PNC P.O.	E AND ADDRESS OF CREDITOR  Bank. N.A.  Box 340777  burgh, PA 15230-7777	DATE OF PAYMENTS/TR <b>3/29/2013</b>		S STILL OWING
None	c. All debtors: List all payments made within <b>one y</b> who are or were insiders. (Married debtors filing un a joint petition is filed, unless the spouses are separ	der chapter 12 or chapter 13 mu	ist include payments by either or both	
4. Su	its and administrative proceedings, executions, ga	rnishments and attachments		
None	a. List all suits and administrative proceedings to verbankruptcy case. (Married debtors filing under chap not a joint petition is filed, unless the spouses are seen as the spouse are seen as the spouses are seen as the spouse are spouse as the spouse are seen as the spouse are seen as the spouse are seen as the spouse are spouse as the spouse	oter 12 or chapter 13 must inclu	de information concerning either or b	
None	b. Describe all property that has been attached, garr the commencement of this case. (Married debtors f or both spouses whether or not a joint petition is fil	iling under chapter 12 or chapte	er 13 must include information conce	
BEN <b>Wier</b> <b>2111</b>	EE AND ADDRESS OF PERSON FOR WHOSE EFIT PROPERTY WAS SEIZED  S International Jim Neu Drive Houth, IN 46563-0000	DATE OF SEIZURE May 2013	DESCRIPTION AND VALUE OF PROPERTY 2007 Volvo, VN770; 2007 M Kenworth, 660; 2013 Inter 1998 Utility, TK SB3; 1999 1999 Utility, TK SB3; 2000 2000 Trailmobile, TK SB3; 2000 Trailmobile; 2000 Uti Wabash, Car Ult.; 2007 Wa 2008 Wabash;	Kenworth, 660; 2010 national, Prostar; Utility, TK SB3; Utility, TK SB3; 2000 Trailmobile; lity, TK SB3; 2005
5. Re	possessions, foreclosures and returns			
None	List all property that has been repossessed by a cred the seller, within <b>one year</b> immediately preceding t include information concerning property of either of joint petition is not filed.)	the commencement of this case.	(Married debtors filing under chapte	r 12 or chapter 13 must
6. As	signments and receiverships			
None	a. Describe any assignment of property for the benef (Married debtors filing under chapter 12 or chapter 1 unless the spouses are separated and joint petition i	3 must include any assignment b		
None	b. List all property which has been in the hands of a commencement of this case. (Married debtors filing spouses whether or not a joint petition is filed, unle	under chapter 12 or chapter 13 n	nust include information concerning p	
7. Gi	fts			
None	List all gifts or charitable contributions made within gifts to family members aggregating less than \$200 i per recipient. (Married debtors filing under chapter a joint petition is filed, unless the spouses are separately	n value per individual family me 12 or chapter 13 must include g	ember and charitable contributions agaits or contributions by either or both	gregating less than \$100

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses 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.)

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disabled certain trucks of the debtor.

DESCRIPTION AND VALUE OF PROPERTY Certain trucks of the debtor. Current amount of damages is currently unknown.

DUCUITIETI PAGE 25 OF 34
DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN
WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS
Ravens Trucking's employees are believed to have purposely

DATE OF LOSS May 2013

#### 9. Payments related to debt counseling or bankruptcy



List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include 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.)

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.

#### 11. Closed financial accounts



List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 12. Safe deposit boxes



List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors 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.)

#### 13. Setoffs



List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** 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.)

#### 14. Property held for another person

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



#### 15. Prior address of debtor

None If 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.

#### 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.

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#### 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.

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.

None

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which 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.

#### 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.

LAST FOUR DIGITS
OF SOCIALSECURITY OR OTHER
INDIVIDUAL
TAXPAYER-I.D. NO.
(ITIN)/COMPLETE EIN

\*\*\*-\*\*-5672

NAME Ronald Watkins

ADDRESS 2901 Rolling Acres Champaign, IL 61822-0000 NATURE OF BUSINESS BEGINNING AND ENDING DATES

Vehicle leasing 1995-2013

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.

 $\checkmark$ 

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 the 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	a. List all bookkeepers and accountants who within the 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

DATES SERVICES RENDERED

**David Hood** Martin Hood Friese & Associates, LLC

2507 South Neil Champaign, IL 61820-0000

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

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 AND ADDRESS

**Ronald Watkins** 2901 Rolling Acres Champaign, IL 61822-0000

Martin Hood Friese & Associates, LLC 2507 South Neil Street Champaign, IL 61820-0000

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 the **two years** immediately preceding the commencement of this case.

#### 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.

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.  $\checkmark$ 

#### 21. Current Partners, Officers, Directors and Shareholders

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.  $\checkmark$ 

None 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.

NATURE AND PERCENTAGE NAME AND ADDRESS OF STOCK OWNERSHIP **Ronald Watkins** President, Sole Director, 100% Sole Shareholder

2901 Rolling Acres Champaign, IL 61822-0000

#### 22. Former partners, officers, directors and shareholders

a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement ✓ of this case.

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

#### 23. Withdrawals from a partnership or distributions by a corporation

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.

#### 24. Tax Consolidation Group

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.

#### 25. Pension Funds.

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.

[If completed on behalf of a partnership or corporation]

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: <b>June 10, 2013</b>	Signature: /s/ Ronald Watkins
	Ronald Watkins, Sole Shareholder/Sole Director
	Print Name and Title
	[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]
	ocntinuation pages attached
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.

## ] (t 1) <u>§</u>

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IN RE:		Case No
Birky Farms, Inc.		Chapter 11
	Debtor(s)	1

#### 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) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Coattails, LLC 20 Oakwood Avenue Danville, IL 61832				250,000.00
Ronald Watkins 2901 Rolling Acres Champaign, IL 61822				226,687.00
John Clarke And Jennifer Clarke 1014 Hadley Champaign, IL 61821				93,000.00
Coattails, LLC 20 Oakwood Avenue Danville, IL 61832		Trade debt		88,000.00
Weirs International 2111 Jim Neu Drive Plymouth, IN 46563				125,000.00 Collateral: 88,000.00 Unsecured: 83,000.00
Melvin Gould And Margaret Gould 1346 Green Trails Drive Naperville, IL 60540				31,000.00
James Matthews 153 Thomas Jefferson Terrace Elkton, MD 21921				15,500.00
Brian Mclaws And Jeanne Mclaws 642 W. Schubert Avenue, Unit A Chicago, IL 60614				15,500.00
John O'Neill And Christine O'Neill 5917 Blodgett Avenue Downers Grove, IL 60516				15,500.00
John Paulis & Mary Ann Paulis 55 St. Mary's Court Springfield, IL 62702				15,500.00
Jacobs Gress 153 Michael John Drive Park Ridge, IL 60068				7,750.00
Thomas Beyer 715 Kingsbrook Glen Glen Ellyn, IL 60137				7,750.00
General Electric Capital Company - GE2 300 E. Carpenter Freeway, Ste. 400 Irving, TX 75062		Bank Ioan		210,000.00 Collateral: 204,000.00 Unsecured: 6,000.00

## Case 13-90766 Doc 1 Filed 06/10/13 Entered 06/10/13 14:52:30 Desc Main Document Page 30 of 34 DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, [the president *or* other officer *or* an authorized agent of the corporation][*or* a member *or* an authorized agent of the partnership] 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:	June 10, 2013	Signature:	/s/ Ronald Watkins	
			Ronald Watkins, Sole Shareholder/Sole Director	(Print Name and Title)

## Case 13-90766 Doc 1 Filed 06/10/13 Entered 06/10/13 14:52:30 Desc Main Document Page 31 of 34 United States Bankruptcy Court Central District of Illinois

IN RE:		Case No.
Birky Farms, Inc.		Chapter 11
	Debtor(s)	
	VERIFICATION OF CREDITOR MATI	RIX
The above named debtor(s) hereby ve	rify(ies) that the attached matrix listing credito	rs is true to the best of my(our) knowledge.
Date: June 10, 2013	Signature: /s/ Ronald Watkins	
	Ronald Watkins, Sole Shareholder	7/Sole Director Debtor
Date:	Signature:	
		Joint Debtor, if any

Brian Mclaws And Jeanne Mclaws 642 W. Schubert Avenue, Unit A Chicago, IL 60614

Coattails, LLC 20 Oakwood Avenue Danville, IL 61832

Community Bank 221 Bank Street, P.O. Box 70 Hoopeston, IL 60942-0070

Fifth Third Bank (Central Indiana) P.O. Box 630778 Cincinnati, OH 45263-0778

General Electric Capital Company 300 East Carpenter Freeway, Ste. 400 Irving, TX 75062-0000

General Electric Capital Company - GE2 300 E. Carpenter Freeway, Ste. 400 Irving, TX 75062

General Electric Capital Company - GE3 300 East Carpenter Freeway, Ste. 400 Irving, TX 75062

General Electric Capital Company -GE1 300 East Carpenter Freeway, Ste. 400 Irving, TX 75062

General Electric Capital Company -GE4 300 E. Carpenter Freeway, Ste. 400 Irving, TX 75062

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Melvin Gould And Margaret Gould 1346 Green Trails Drive Naperville, IL 60540

PNC Bank. N.A. P.O. Box 340777 Pittsburgh, PA 15230-7777

Ronald Watkins 2901 Rolling Acres Champaign, IL 61822

Thomas Beyer 715 Kingsbrook Glen Glen Ellyn, IL 60137 Weirs International 2111 Jim Neu Drive Plymouth, IN 46563