Case 11-46326 Doc 1 Filed 11/15/11 Entered 11/15/11 16:26:15 Desc Main 1/15/11 4:24PM Document Page 1 of 11

B1 (Official	Form 1)(4/	10)			Do	cumei	nt P	age 1 o	f 11			
United States Bankruptcy C Northern District of Illinois							't			Voluntary	Petition	
Name of Debtor (if individual, enter Last, First, Middle): Tree and Land, Inc.						Nan	ne of Joint D	ebtor (Spouse	e) (Last, First	, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):								s used by the , maiden, and		in the last 8 years):		
Last four dig (if more than on 36-3215	e, state all)	Sec. or Indi	vidual-Taxpa	yer I.D. (ITIN) No./0	Complete	EIN Last	t four digits of ore than one, state	of Soc. Sec. o	r Individual-'	Taxpayer I.D. (ITIN) No	o./Complete EIN
	ess of Debto	or (No. and	Street, City, a	and State)	:			eet Address o	f Joint Debtor	(No. and St	reet, City, and State):	am a i
					Г	ZIP Co 60447	de					ZIP Code
County of R Grundy	desidence or	of the Princ	cipal Place of	f Business			Cou	inty of Reside	ence or of the	Principal Pl	ace of Business:	•
	dress of Deb	otor (if diffe	rent from stre	eet addres	ss):		Mai	iling Address	of Joint Deb	tor (if differe	nt from street address):	
					г	ZIP Co	de					ZIP Code
Location of (if different			siness Debtor ve):									
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.)			(Check one box) Health Care Business Single Asset Real Estate as def in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank Other Tax-Exempt Entity (Check box, if applicable) Debtor is a tax-exempt organiz under Title 26 of the United Sta Code (the Internal Revenue Co			ity ble) rganization ted States	Chap Chap Chap Chap Debts define "incur	the ter 7 ter 9 ter 11 ter 12	Petition is Fi	busing for	ecognition eding ecognition	
Full Filing Fee attached ☐ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.					Debtor is reck if: Debtor's a are less that ik all applicate A plan is be Acceptance	ggregate nonco an \$2,343,300 (able boxes: being filed with es of the plan v	s debtor as definess debtor as ontingent liquid (amount subject this petition.	defined in 11 that ated debts (except to adjustment) at the adjustment of the adjust	Ors C. § 101(51D). U.S.C. § 101(51D). cluding debts owed to insict on 4/01/13 and every three	ee years thereafter).		
☐ Debtor e	estimates that estimates that	at funds will at, after any	ation be available exempt prop	erty is ex	cluded and	administr		nses paid,		THIS	S SPACE IS FOR COURT	USE ONLY
Estimated N				1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000	-		
Estimated A		\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,00 to \$100 million			More than			
Estimated L \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,00 to \$100 million	1 \$100,000, to \$500 million	001 \$500,000,000 to \$1 billion				

Case 11-46326 Doc 1 Filed 11/15/11 Entered 11/15/11 16:26:15 Desc Main 11/15/11 4:24PM Document Page 2 of 11

B1 (Official Form 1)(4/10) Page 2 Name of Debtor(s): Voluntary Petition Tree and Land, Inc. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Location Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

Page 3

Voluntary Petition

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

Signatures

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

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

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

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

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Richard G. Larsen

Signature of Attorney for Debtor(s)

Richard G. Larsen

Printed Name of Attorney for Debtor(s)

Myler, Ruddy & McTavish

Firm Name

105 E. Galena Blvd.

8th Floor

Aurora, IL 60505

Address

amctavish@mrmlaw.com cmyler@mrmlaw.com 630-897-8475 Fax: 630-897-8076

Telephone Number

November 15, 2011

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

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

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

x /s/ Karen J. Matan

Signature of Authorized Individual

Karen J. Matan

Printed Name of Authorized Individual

President

Title of Authorized Individual

November 15, 2011

Date

Signature of a Foreign Representative

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

(Check only one box.)

Name of Debtor(s):

Tree and Land, Inc.

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

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

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

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

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

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

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

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

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

Case 11-46326 Doc 1 Filed 11/15/11 Entered 11/15/11 16:26:15 Desc Main Document Page 4 of 11

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Northern District of Illinois

In re	Tree and Land, Inc.	Case No.		
		Debtor(s)	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Advanta Credit Cards P.O. Box 31032 Tampa, FL 33631	Advanta Credit Cards P.O. Box 31032 Tampa, FL 33631	Credit card purchases		17,455.00
Bank of America P.O. Box 851001 Dallas, TX 75285	Bank of America P.O. Box 851001 Dallas, TX 75285	Credit card purchases		36,397.00
Cedar Path Nurseries 15235 W. Bruce Rd. Lockport, IL 60491-8279	Cedar Path Nurseries 15235 W. Bruce Rd. Lockport, IL 60491-8279	Trade debt		20,624.00
Centrue Bank c/o Howard & Howard 211 Fulton St. Peoria, IL 61602-1350	Centrue Bank c/o Howard & Howard 211 Fulton St. Peoria, IL 61602-1350	Eight Residential Lots, 24 Undeveloped Lots Hidden Acres Subdivision, Sheridan, IL		1,688,442.23 (1,350,000.00 secured)
Chicagoland Wholesale Mulch 2220 N. Broadway St. Crest Hill, IL 60403	Chicagoland Wholesale Mulch 2220 N. Broadway St. Crest Hill, IL 60403	Trade debt		8,526.00
Christiansen Farms 12151 W. Wilmington Rd. Peotone, IL 60468	Christiansen Farms 12151 W. Wilmington Rd. Peotone, IL 60468	Trade debt		47,645.00
Citi Business Card P.O. Box 688901 Des Moines, IA 50368	Citi Business Card P.O. Box 688901 Des Moines, IA 50368	Credit card purchases		12,223.00
Dellwood Tire & Auto Corp. 711 S. State St. Lockport, IL 60441	Dellwood Tire & Auto Corp. 711 S. State St. Lockport, IL 60441	Vehicle Expense		7,014.00
Discover Financial Services Attn Bankruptcy Dept PO Box 3025 New Albany, OH 43054	Discover Financial Services Attn Bankruptcy Dept PO Box 3025 New Albany, OH 43054	Credit card purchases		7,892.00
Engineering Enterprises, Inc. 52 Wheeler Rd. Sugar Grove, IL 60554	Engineering Enterprises, Inc. 52 Wheeler Rd. Sugar Grove, IL 60554	Business Debt		12,824.00
Granby's Greenhouse 5850 W. Waupecan Rd. Verona, IL 60479	Granby's Greenhouse 5850 W. Waupecan Rd. Verona, IL 60479	Trade debt	Disputed	65,936.00

11/15/11 4:24PM

Case 11-46326 Doc 1 Filed 11/15/11 Entered 11/15/11 16:26:15 Desc Main Document Page 5 of 11

B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Tree and Land, Inc.	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Greener Gardens Sod Farm LLC P.O. Box 472 Frankfort, IL 60423	Greener Gardens Sod Farm LLC P.O. Box 472 Frankfort, IL 60423	Trade debt		102,837.00
IDES 33 S. State St. Chicago, IL 60603	IDES 33 S. State St. Chicago, IL 60603	Unemployment Insurance		21,822.08
Illinois Department of Revenue P.O. Box 19447 Springfield, IL 62794-9447	Illinois Department of Revenue P.O. Box 19447 Springfield, IL 62794-9447	Payroll Taxes		12,728.69
Internal Revenue Service ACH Support - Stop 813G PO Box 145566 Cincinnati, OH 45250-5566	Internal Revenue Service ACH Support - Stop 813G PO Box 145566 Cincinnati, OH 45250-5566	Payroll Taxes		57,516.55
T & L Equipment Repair 34 Chippewa Dr. Oswego, IL 60543	T & L Equipment Repair 34 Chippewa Dr. Oswego, IL 60543	Business Debt		7,381.00
The Fields 2412 Hacker Dr. Crest Hill, IL 60403	The Fields 2412 Hacker Dr. Crest Hill, IL 60403	Trade debt		18,999.00
Tri-County Stockdale Co. of Joliet, Inc. 25520 Black Rd. Joliet, IL 60404	Tri-County Stockdale Co. of Joliet, Inc. 25520 Black Rd. Joliet, IL 60404	Trade debt		135,662.00
Village of Sheridan Building Department 115 N. Robinson St. Sheridan, IL 60551	Village of Sheridan Building Department 115 N. Robinson St. Sheridan, IL 60551	Business Debt	Disputed	24,656.00
Wells Fargo P.O. Box 348750 Sacramento, CA 95834	Wells Fargo P.O. Box 348750 Sacramento, CA 95834	Credit card purchases		47,973.00

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

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

Date	November 15, 2011	Signature	/s/ Karen J. Matan
			Karen J. Matan
			President

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

11/15/11 4:24PM

A & T Electric 2910 East 15th Rd. Ottawa, IL 61350

Ace Hardware 855 S. Ridge Rd. Minooka, IL 60447

Advanta Credit Cards P.O. Box 31032 Tampa, FL 33631

Allied Insurance P.O. Box 10479 Des Moines, IA 50306-0479

American Express World Financial Center 200 Vesey St. New York, NY 10285

Bank of America P.O. Box 851001 Dallas, TX 75285

BP Amoco P.O. Box 923928 Norcross, GA 30010

Capital One Bank P.O. Box 30285 Salt Lake City, UT 84130-0285

Cedar Path Nurseries 15235 W. Bruce Rd. Lockport, IL 60491-8279

Centrue Bank c/o Howard & Howard 211 Fulton St. Peoria, IL 61602-1350

Centrue Bank 202 Indian Springs Dr. Sandwich, IL 60548 Chartis Insurance 5 Wood Hollow Rd., 3rd Fl Parsippany, NJ 07054

Chicagoland Wholesale Mulch 2220 N. Broadway St. Crest Hill, IL 60403

Chicgoland Drug Testing 32 Uno Circle Joliet, IL 60435

Christiansen Farms 12151 W. Wilmington Rd. Peotone, IL 60468

Citi Business Card P.O. Box 688901 Des Moines, IA 50368

City of Joliet Water Department 921 E. Washington St. Joliet, IL 60433

CNH Capital P.O. Box 9218 Old Bethpage, NY 11804

CNH Capital P.O. Box 3900 Lancaster, PA 17604-3900

Com Ed Attn: Bankruptcy Department 2100 Swift Drive Oak Brook, IL 60523

DeBold Topsoil P.O. Box 4078 Joliet, IL 60434

Dellwood Tire & Auto Corp. 711 S. State St. Lockport, IL 60441

Dick's Towing Service 911 N. Broadway St. Joliet, IL 60435

Dirt Works, Inc. P.O. Box 42899 Evergreen Park, IL 60805

Discover Financial Services Attn Bankruptcy Dept PO Box 3025 New Albany, OH 43054

DuPage Topsoil P.O. Box 387 Wheaton, IL 60187

Emil's Tires 5601 Sauk Trail Matteson, IL 60443

Engineering Enterprises, Inc. 52 Wheeler Rd. Sugar Grove, IL 60554

Ero-Tex N94W14330 Garwin Mace Dr. Menomonee Falls, WI 53051

Grainco FS, Inc. 3107 N. St. Route 23 Ottawa, IL 61350

Granby's Greenhouse 5850 W. Waupecan Rd. Verona, IL 60479

Greener Gardens Sod Farm LLC P.O. Box 472 Frankfort, IL 60423

Hartford Insurance P.O. Box 2907 Hartford, CT 06104-2907 Heiss Welding, Inc. 260 W. Marquette Ottawa, IL 61350

IDES 33 S. State St. Chicago, IL 60603

Illinois American Water 1000 Internationale Parkway Woodridge, IL 60517

Illinois Department of Revenue P.O. Box 19447 Springfield, IL 62794-9447

Internal Revenue Service ACH Support - Stop 813G PO Box 145566 Cincinnati, OH 45250-5566

John Deere Financial P.O. Box 650215 Dallas, TX 75265

Karen J. Matan 2065 Hideaway Ct. Morris, IL 60450

LaSalle County Treasurer 707 E. Etna Rd. P.O. Box 1560 Ottawa, IL 61350

Norway Nursery & Garden Center Box 451 Sheridan, IL 60551

NuWay Disposal P.O. Box 9 Mokena, IL 60448

Orland Soil Contractors, Inc. 4011 W. 165th St. Country Club Hills, IL 60478

Possibility Place Nursery 7548 W. Monee-Manhattan Rd. Monee, IL 60449

Principal Financial Group P.O. Box 14513 Des Moines, IA 50306

Rental Max 908 E. Roosevelt Rd. Wheaton, IL 60187

Shell Fleet Processing Center P.O. Box 183019 Columbus, OH 43218

Speedway, LLC P.O. Box 1590 Springfield, OH 45501

Sprint P.O. Box 8077 London, KY 40742

T & L Equipment Repair 34 Chippewa Dr. Oswego, IL 60543

The Fields 2412 Hacker Dr. Crest Hill, IL 60403

Transport Towing 2615 Brandon Rd. Joliet, IL 60436

Tri-County Stockdale Co. of Joliet, Inc. 25520 Black Rd. Joliet, IL 60404

Vardal Survey Systems 1204 W. Jefferson St. Joliet, IL 60435 Village of Sheridan Building Department 115 N. Robinson St. Sheridan, IL 60551

Wells Fargo P.O. Box 348750 Sacramento, CA 95834

Wessells Sherman 1860 Executive Dr., Suite E-1 Oconomowoc, WI 53066

Westside Tractor P.O. Box 87618 Chicago, IL 60680