Case 14-82161 Doc 1 Filed 07/14/14 Entered 07/14/14 09:03:55 Desc Main Document Page 1 of 10

| United States Bankruptcy Court Northern District of Illinois | | | | | Voluntar | y Petition | | | |
|---|--|---|---|---|--|--|---|---|---|
| Name of Debtor (if individual, enter Last Hearing Help Express, Inc. | , First, Middle) | : | | Name | of Joint De | ebtor (Spouse |) (Last, First, | , Middle): | |
| All Other Names used by the Debtor in the (include married, maiden, and trade name DBA Hearing Help Express; D Eco-Gold Batteries; DBA Lotu Mail; DBA Eco-Gold Hearing P | s): BA Simply E s Express; I | DBA Moo | lah by | All Ot (include | her Names de married, | used by the J maiden, and | oint Debtor i trade names) | in the last 8 years | |
| Last four digits of Soc. Sec. or Individual (if more than one, state all) 36-4093450 | -Taxpayer I.D. | (ITIN)/Com | plete EIN | Last fo | our digits o than one, state | f Soc. Sec. or all) | Individual-T | Taxpayer I.D. (ITIN) | No./Complete EIN |
| Street Address of Debtor (No. and Street, 105 North 1st Street DeKalb, IL | City, and State |): | ZIP Code | Street | Address of | Joint Debtor | (No. and Str | reet, City, and State): | : ZIP Code |
| County of Residence or of the Principal F | lace of Rusines | | 60115 | Count | v of Reside | ence or of the | Principal Pla | ace of Business: | |
| DeKalb | face of Busines | | | Count | y of Reside | since of of the | i iliicipai i ia | ice of Business. | |
| Mailing Address of Debtor (if different fr | om street addre | ss): | | Mailir | ng Address | of Joint Debt | or (if differen | nt from street address | s): |
| | | Г | ZIP Code | _ | | | | | ZIP Code |
| Location of Principal Assets of Business (if different from street address above): | 1 | Secondary 300 Sout DeKalb, IL | h 7th Stre | - | cipal ass | ets: | | | |
| Type of Debtor (Form of Organization) (Check one box | | | of Business | | | | | otcy Code Under W led (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 encheck this box and state type of entity belo | Head | ckbroker mmodity Bro aring Bank | eal Estate as 101 (51B) | defined | ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt | er 7 er 9 er 11 er 12 | ☐ Ch of ☐ Ch of | napter 15 Petition for a Foreign Main Pro- napter 15 Petition for a Foreign Nonmain | r Recognition ceeding r Recognition |
| Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending: | und | Tax-Exe | the United St | defined in 11 U.S.C. § 101(8) as busin ates "incurred by an individual primarily for | | ebts are primarily siness debts. | | | |
| Filing Fee (Check o | ne box) | | 1 | one box: | <u> </u> | • | ter 11 Debto | | |
| Full Filing Fee attached Filing Fee to be paid in installments (application for the court's condebtor is unable to pay fee except in install Form 3A. Filing Fee waiver requested (applicable to attach signed application for the court's condetent. | sideration certify ments. Rule 1006 chapter 7 individu | ring that the i(b). See Officuals only). Mu | ial Check i Check i Check i Check i A Check i A Check i A Check i A Check i A | Debtor is not f: Debtor's agging less than a all applicable a plan is bein acceptances | a small busing regate nonco \$2,490,925 (each boxes: no filed with of the plan w | ntingent liquida amount subject this petition. | defined in 11 U ated debts (exc to adjustment | C. § 101(51D). J.S.C. § 101(51D). Eluding debts owed to in on 4/01/16 and every to one or more classes of | three years thereafter). |
| Statistical/Administrative Information ■ Debtor estimates that funds will be av □ Debtor estimates that, after any exemple there will be no funds available for di | ot property is ex | cluded and | administrati | | es paid, | | THIS | SPACE IS FOR COUR | ₹T USE ONLY |
| Estimated Number of Creditors | 1,000- 5,000 | 5,001- 10,000 | 10,001- 25,000 | 25,001- 50,000 | 50,001- 100,000 | OVER 100,000 | | | |
| Estimated Assets | to \$10 | \$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 | | | |
| Estimated Liabilities | to \$10 | \$10,000,001 to \$50 million | \$50,000,001 to \$100 million | \$100,000,001 to \$500 million | \$500,000,001 to \$1 billion | | | | |

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B1 (Official Form 1)(04/13) Page 2 Name of Debtor(s): Voluntary Petition Hearing Help Express, 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: Date Filed: Location Where Filed: - None -Date Filed: Location Case Number: 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 required by 11 U.S.C. §342(b). and is requesting relief under chapter 11.) ☐ 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 with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

B1 (Official Form 1)(04/13)

Voluntary Petition

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

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

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

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

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

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ James E. Stevens

Signature of Attorney for Debtor(s)

James E. Stevens 29240

Printed Name of Attorney for Debtor(s)

BARRICK, SWITZER, LONG, BALSLEY & VAN EVERA

Firm Name

6833 Stalter Drive Rockford, IL 61108

Address

Email: jstevens@bslbv.com

815-962-6611 Fax: 962-1758

Telephone Number

July 14, 2014

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/ James E. Hovis

Signature of Authorized Individual

James E. Hovis

Printed Name of Authorized Individual

CEO, Chairman of the Board

Title of Authorized Individual

July 14, 2014

Date

Name of Debtor(s):

Hearing Help Express, Inc.

Signatures

Signature of a Foreign Representative

Page 3

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

(Check only one box.)

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

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

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

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

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

| _ | _ | - | |
|---|---|---|--|
| М | ۰ | _ | |
| | | | |

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.

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court Northern District of Illinois

| In re | Hearing Help Express, Inc. | Inc. | | |
|-------|----------------------------|-----------|---------|----|
| | | 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] |
| Better Hearing, LLC aka Thomas H. Roberts, III 7500 E. Arapahoe Road, Suite 33 Centennial, CO 80112 | Better Hearing, LLC aka Thomas H. Roberts, III 7500 E. Arapahoe Road, Suite 33 Centennial, CO 80112 | Loan secured by Tangible and Intangible Assets | | 2,500,000.00 (Unknown secured) |
| CashCall, Inc. 1 City Blvd.West, Suite 100 Orange, CA 92868 | CashCall, Inc. 1 City Blvd.West, Suite 100 Orange, CA 92868 | Unsecured Business Loan | | 47,121.00 |
| Citicorp Services Lockbox 3rd Fl John Hancock USA Lockbox #2495 8430 W. Bryn Mawr Avenue Chicago, IL 60631 | Citicorp Services Lockbox 3rd Fl John Hancock USA Lockbox #2495 8430 W. Bryn Mawr Avenue Chicago, IL 60631 | Employee IRA Matching Funds | | 99,567.00 |
| Gerard J. McLain 248 Alfred Drive Sycamore, IL 60178 | Gerard J. McLain 248 Alfred Drive Sycamore, IL 60178 | Unsecured Loan | | 93,517.00 |
| Helen S. Meeker Trust 1475 Bay Avenue Homer, AK 99603 | Helen S. Meeker Trust 1475 Bay Avenue Homer, AK 99603 | Unsecured Loan | | 51,007.00 |
| HGL Trust 451 Heritage Drive, Suite 215 Pompano Beach, FL 33060 | HGL Trust 451 Heritage Drive, Suite 215 Pompano Beach, FL 33060 | Unsecured Loan | | 300,000.00 |
| Hovis Light Industry Park, Inc. 1300 South 7th Street DeKalb, IL 60115 | Hovis Light Industry Park, Inc. 1300 South 7th Street DeKalb, IL 60115 | Rent | | 45,758.00 |
| Internal Revenue Service Centralized Lien Operation P.O. Box 145595, Stop 8420G Cincinnati, OH 45250 | Internal Revenue Service Centralized Lien Operation P.O. Box 145595, Stop 8420G Cincinnati, OH 45250 | 941 Payroll Taxes, interest and penalty | | Unknown |
| Justin Lee Jordal 5225 Fleetwood Oaks Avenue #215 Dallas, TX 75235 | Justin Lee Jordal 5225 Fleetwood Oaks Avenue #215 Dallas, TX 75235 | Unsecured Loan | | 195,517.00 |

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| B4 (Offi | cial Form 4) (12/07) - Cont. | | |
|----------|------------------------------|----------|--|
| In re | Hearing Help Express, 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] |
| Keith D. Taylor 912 North 9th Street DeKalb, IL 60115 | Keith D. Taylor 912 North 9th Street DeKalb, IL 60115 | Unsecured Loan | | 63,125.00 |
| LCS Family Trust 235 Miller Avenue DeKalb, IL 60115 | LCS Family Trust 235 Miller Avenue DeKalb, IL 60115 | Unsecured Loan | | 131,523.00 |
| Margo Lewis 451 Heritage Drive, Suite 215 Pompano Beach, FL 33060 | Pompano Beach, FL 33060 | Unsecured Loan | | 72,997.00 |
| National Funding, Inc. 9820 Towne Center Drive #200 San Diego, CA 92121 | National Funding, Inc. 9820 Towne Center Drive #200 San Diego, CA 92121 | Business Loan secured by Tangible and Intangible Assets | | (Unknown secured) |
| New Maturity Direct 10701 Melody Drive, Suite 320 Northglenn, CO 80234 | New Maturity Direct 10701 Melody Drive, Suite 320 Northglenn, CO 80234 | Advertising | | 99,099.00 |
| Rebecca Loegering 14710C 13th Avenue North Plymouth, MN 55447-4523 | Rebecca Loegering 14710C 13th Avenue North Plymouth, MN 55447-4523 | Unsecured Loan | | 41,214.00 |
| Resource Bank 555 Bethany Road DeKalb, IL 60115 | Resource Bank 555 Bethany Road DeKalb, IL 60115 | Business Loan secured by inventory and accounts receivable | | 75,400.00 (Unknown secured) |
| Robert E. Moses 4807 E. 17th Avenue Denver, CO 80220 | Robert E. Moses 4807 E. 17th Avenue Denver, CO 80220 | Unsecured Loan | | 93,394.00 |
| Spectrum Brands, Inc. 7040 Collection Center Drive Chicago, IL 60693 | Spectrum Brands, Inc. 7040 Collection Center Drive Chicago, IL 60693 | Merchandise | | 49,618.00 |
| Toles Family Trust #101 Dtd 04-23-0 Linda Toles 2127 Highland Drive Sycamore, IL 60178 | Toles Family Trust #101 Dtd 04-23-0 Linda Toles 2127 Highland Drive Sycamore, IL 60178 | Unsecured Loan | | 40,000.00 |
| Varta Microbattery, Inc. 555 Theodoore Fremd Avenue Suite C-304 Rye, NY 10580 | Varta Microbattery, Inc. 555 Theoodore Fremd Avenue Suite C-304 Rye, NY 10580 | Merchandise | | 86,241.00 |

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| B4 (Offi | cial Form 4) (12/07) - Cont. | | |
|----------|------------------------------|----------|--|
| In re | Hearing Help Express, Inc. | Case No. | |
| | Debtor(s) | | |

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

I, the CEO, Chairman of the Board 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 | July 14, 2014 | Signature | /s/ James E. Hovis |
|------|---------------|-----------|----------------------------|
| | | _ | James E. Hovis |
| | | | CEO, Chairman of the Board |

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.

Attorney James Allen Riley 327 South 1st Street Geneva, IL 60134

Attorney Mark P. Doherty The Doherty Law Firm 125 North First Street DeKalb, IL 60115-3226

Attorney Peter Thomas Smith Smith, Tucker, Coghlan & Smith, LLC 1958 Aberdeen Court, Suite 1 Sycamore, IL 60178

Better Hearing, LLC aka Thomas H. Roberts, III 7500 E. Arapahoe Road, Suite 33 Centennial, CO 80112

CashCall, Inc. 1 City Blvd.West, Suite 100 Orange, CA 92868

Citicorp Services Lockbox 3rd Fl John Hancock USA Lockbox #2495 8430 W. Bryn Mawr Avenue Chicago, IL 60631

Gerard J. McLain 248 Alfred Drive Sycamore, IL 60178

Helen S. Meeker Trust 1475 Bay Avenue Homer, AK 99603

HGL Trust 451 Heritage Drive, Suite 215 Pompano Beach, FL 33060

Hovis Light Industry Park, Inc. 1300 South 7th Street DeKalb, IL 60115

Howard & Howard 200 South Michigan Avenue Suite 1100 Chicago, IL 60604-2461

Internal Revenue Service Centralized Lien Operation P.O. Box 145595, Stop 8420G Cincinnati, OH 45250

Justin Lee Jordal 5225 Fleetwood Oaks Avenue #215 Dallas, TX 75235

Keith D. Taylor 912 North 9th Street DeKalb, IL 60115

LCS Family Trust 235 Miller Avenue DeKalb, IL 60115

Margo Lewis 451 Heritage Drive, Suite 215 Pompano Beach, FL 33060

National Funding, Inc. 9820 Towne Center Drive #200 San Diego, CA 92121

New Maturity Direct 10701 Melody Drive, Suite 320 Northglenn, CO 80234

Rebecca Loegering 14710C 13th Avenue North Plymouth, MN 55447-4523

Resource Bank 555 Bethany Road DeKalb, IL 60115

Robert E. Moses 4807 E. 17th Avenue Denver, CO 80220 Spectrum Brands, Inc. 7040 Collection Center Drive Chicago, IL 60693

Toles Family Trust #101 Dtd 04-23-0 Linda Toles 2127 Highland Drive Sycamore, IL 60178

Varta Microbattery, Inc. 555 Theoodore Fremd Avenue Suite C-304 Rye, NY 10580

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United States Bankruptcy Court Northern District of Illinois

| In re | Hearing Help Express, Inc. | | Case No. | |
|---|---|--|----------------------------------|---|
| | | Debtor(s) | Chapter | 11 |
| | | | | |
| | | | | |
| | CORPORATE | OWNERSHIP STATEMENT (R | ULE 7007.1) | |
| or recu follow more of Hearin 105 N | ant to Federal Rule of Bankruptcy Procusal, the undersigned counsel for Hearing is a (are) corporation(s), other than of any class of the corporation's(s') equing Help Express, Inc. orth 1st Street | the debtor or a governmental unit, | e captioned a that directly o | ction, certifies that the or indirectly own(s) 10% or |
| Dertai | ib, IE 00113 | | | |
| | | | | |
| □ Nor | ne [Check if applicable] | | | |
| July 1 | 4, 2014 | /s/ James E. Stevens | | |
| Date | | James E. Stevens | | |
| | | Signature of Attorney or Litigant Counsel for Hearing Help Expre | ess, Inc. | |
| | | BARRICK, SWITZER, LONG, BALS | SLEY & VAN E | VERA |
| | | 6833 Stalter Drive Rockford, IL 61108 | | |
| | | 815-962-6611 Fax:962-1758 | | |
| | | jstevens@bslbv.com | | |
| | | | | |