Case 09-32571 Doc 1 Filed 09/28/09 Page 1 of 13

B1 (Official	Form 1)(1/	(80)										
			United : Sou			ruptcy of Illino					Voluntary	y <b>Petition</b>
	ebtor (if ind Terry Le		er Last, First,	Middle):			Name	Name of Joint Debtor (Spouse) (Last, First, Middle):				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  DBA Nelson Farms; DBA Cornerstone Transportation LLC						All O (inclu	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):					
Last four dig	one, state all		vidual-Taxpa	yer I.D. (	(ITIN) No./	Complete E		our digits or re than one, s		r Individual-T	Caxpayer I.D. (ITIN) I	No./Complete EIN
Street Addre	ess of Debto		Street, City, a	and State)	):	ZIP Code		Address of	f Joint Debtor	r (No. and Str	eet, City, and State):	ZIP Code
County of E	Pasidanaa ar	of the Drin	cipal Place of	f Duginas		62236		ty of Docide	and or of the	Dringing Dla	ice of Business:	
St. Clair		or the Film	cipai Flace of	Dusilles	S.		Coun	ly of Reside	ence of of the	: Fillicipai Fia	ice of Busiliess.	
Mailing Add	dress of Del	otor (if diffe	rent from stro	eet addres	ss):		Maili	ng Address	of Joint Deb	tor (if differer	nt from street address)	):
					Г	ZIP Code	4					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.)			Sing in I Rail Stoo Con Clea Othe	(Check lth Care Bu gle Asset R 1 U.S.C. § road ckbroker nmodity Br aring Bank er  Tax-Exe (Check box tor is a tax- er Title 26	eal Estate as 101 (51B)	Chapter 11 of a Foreign Main Pro Chapter 12 Chapter 15 Petition for Chapter 13 of a Foreign Nonmain  Nature of Debts (Check one box)  Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for			eeding Recognition			
attach si is unable  Filing Fe attach si	ee to be pai gned applic e to pay fee ee waiver re gned applic	ched d in installmation for the except in inequested (apation for the	ee (Check or nents (applica e court's cons stallments. R plicable to cl e court's cons ation	able to indideration tule 1006 napter 7 in ideration.	certifying (b). See Offindividuals (c). See Official	that the debt icial Form 3A only). Must I Form 3B.	Check	Debtor is c if: Debtor's to insider c all applica A plan is Acceptan	a small busing not a small busing aggregate not a small busing aggregate not a sor affiliates; able boxes: being filed work of the pla	ncontingent li ) are less than vith this petition were solicities accordance w	defined in 11 U.S.C. or as defined in 11 U.S. quidated debts (exclu \$2,190,000.	S.C. § 101(51D).  Iding debts owed  one or more (b).
Debtor e	estimates tha ll be no fun	at, after any ds available	exempt prop for distributi	erty is ex	cluded and	administrat		es paid,				
Estimated N  1- 49	50- 99	100- 199	200-	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated A	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion				
Estimated L  \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001	\$1,000,001 to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,000 to \$500	\$500,000,001 to \$1 billion				

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B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Nelson, Terry Lee (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, forms 10K and 10Q) with the Securities and Exchange Commission 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(1/08) Page 3

# **Voluntary Petition**

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

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

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

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

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

#### $\mathbf{X}$ /s/ Terry Lee Nelson

Signature of Debtor Terry Lee Nelson

 $\mathbf{X}_{-}$ 

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**September 28, 2009** 

Date

#### Signature of Attorney\*

#### X /s/ Donald M. Samson

Signature of Attorney for Debtor(s)

#### Donald M. Samson 06189025

Printed Name of Attorney for Debtor(s)

#### Donald M. Samson #6189025

Firm Name

226 W. Main St., Ste. 102 Belleville, IL 62220

Address

# Email: dnldsamson@yahoo.com

618-235-2226 Fax: 618-235-0037

Telephone Number

### **September 28, 2009**

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

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Name of Debtor(s):

Nelson, Terry Lee

#### Signatures

#### Signature of a Foreign Representative

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

(Check only one box.)

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

<b>T</b>	

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.

B 1D(Official Form 1, Exhibit D) (12/08)

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

		2 * * * * * * * * * * * * * * * * * * *		
In re	Terry Lee Nelson		Case No.	
		Debtor(s)	Chapter	11

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- □ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor:   /s/ Terry Lee Nelson  Terry Lee Nelson
Date: September 28, 2009

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

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

In re	Terry Lee Nelson			
		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]
Bank of America P.O. Box 15019	Bank of America P.O. Box 15019			26,631.39
Wilmington, DE 19886-5019	Wilmington, DE 19886-5019			
Capital One C/o TSYS Debt Management P.O. Box 5155 Norcross, GA 30091	Capital One C/o TSYS Debt Management P.O. Box 5155 Norcross, GA 30091			2,092.83
Capital One C/o TSYS Debt Management P.O. Box 5155 Norcross, GA 30091	Capital One C/o TSYS Debt Management P.O. Box 5155 Norcross, GA 30091			1,051.22
Capital One C/o TSYS Debt Management P.O. Box 5155 Norcross, GA 30091	Capital One C/o TSYS Debt Management P.O. Box 5155 Norcross, GA 30091			504.55
Chase Cardmember Service P.O. Box 15153 Wilmington, DE 19886-5153	Chase Cardmember Service P.O. Box 15153 Wilmington, DE 19886-5153			9,532.16
Commerce Bank P.O. Box 806000 Kansas City, MO 64180-6000	Commerce Bank P.O. Box 806000 Kansas City, MO 64180-6000	Line of credit		20,000.00
Commerce Bank P.O. Box 806000 Kansas City, MO 64180-6000	Commerce Bank P.O. Box 806000 Kansas City, MO 64180-6000			1,937.56
Discover Card P.O. Box 6103 Carol Stream, IL 60197-6103	Discover Card P.O. Box 6103 Carol Stream, IL 60197-6103			6,712.39
Flatiron Capital 950 17th Street Denver, CO 80202	Flatiron Capital 950 17th Street Denver, CO 80202			3,672.51
Gateway FS C/o Crowder & Scroggins 121 West Legion Avenue P.O. Box 167 Columbia, IL 62236-0167	Gateway FS C/o Crowder & Scroggins 121 West Legion Avenue Columbia, IL 62236-0167			18,018.59

B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Terry Lee Nelson	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]
Gateway FS	Gateway FS			16,584.40
221 E. Pine Street	221 E. Pine Street			
P.O. Box 100	P.O. Box 100			
Red Bud, IL 62278-0100	Red Bud, IL 62278-0100			
Helzberg Card	Helzberg Card			5,826.77
P.O. Box 60107 City Of Industry, CA 91716-	P.O. Box 60107 City Of Industry, CA 91716-0107			
0107	City Of industry, CA 91716-0107			
Home Depot Credit	Home Depot Credit			2,092.83
Processing Center	Processing Center			2,092.03
Des Moines, IA 50364	Des Moines, IA 50364			
Home Depot Credit	Home Depot Credit			1,051.22
Processing Center	Processing Center			1,001.22
Des Moines, IA 50364	Des Moines, IA 50364			
IL DEPT. OF EMPLOYMENT	IL DEPT. OF EMPLOYMENT			28,669.58
SECURITY	SECURITY			
BK Unit	BK Unit			
33 S. State St.	33 S. State St.			
Chicago, IL 60603	Chicago, IL 60603			
Progressive Insurance	Progressive Insurance			66,875.45
The Progressive Corporation	The Progressive Corporation			
6300 Wilson Mills Road	6300 Wilson Mills Road			
Cleveland, OH 44143	Cleveland, OH 44143			
R & M Oil Supply	R & M Oil Supply			8,669.14
P.O. Box 62236	P.O. Box 62236			
Columbia, IL 62236	Columbia, IL 62236			
Sears Gold Mastercard	Sears Gold Mastercard			985.31
P.O. Box 183082	P.O. Box 183082			
Columbus, OH 43218	Columbus, OH 43218			20,000,70
Spaeth Welding, Inc. 321 West Missouri	Spaeth Welding, Inc. 321 West Missouri			26,896.76
New Baden, IL 62265	New Baden, IL 62265			
Tractor Trailer Supply	Tractor Trailer Supply			4,808.34
P.O. Box 796024	P.O. Box 796024			4,000.34
Saint Louis, MO 63179-6000	Saint Louis, MO 63179-6000			
Janit Louis, 1810 0317 3-0000	Jank Louis, 1110 0017 9-0000	<u> </u>		

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Terry Lee Nelson	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, **Terry Lee Nelson**, 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	September 28, 2009	Signature	/s/ Terry Lee Nelson	
			Terry Lee Nelson	_
			Debtor	

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.

# United States Bankruptcy Court Southern District of Illinois

In re	Terry Lee Nelson		Case No.		
		Debtor(s)	Chapter	11	
	VERI	FICATION OF CREDITOR M	ATRIX		
	The above named Debtor correct to the best of my/our knowschedules.	r(s) hereby verify that the attach owledge and that it corresponds			
Date:	September 28, 2009	/s/ Terry Lee Nelson			
		Terry Lee Nelson			

Signature of Debtor

1st Midwest Bank of the Ozarks 217 S Main St Piedmont, MO 63957

Arch Trailer Sales 4800 Bulwer Ave Saint Louis, MO 63147

Bank of America P.O. Box 15019 Wilmington, DE 19886-5019

Caine & Weiner 1699 East Woodfield Road Schaumburg, IL 60173

Capital One C/o TSYS Debt Management P.O. Box 5155 Norcross, GA 30091

Chase Cardmember Service P.O. Box 15153 Wilmington, DE 19886-5153

CHASE P.O. Box 659409 San Antonio, TX 78265

Chrysler Financial Kansas City Center Attn: Bankruptcy Dept. PO Box 25952 Shawnee Mission, KS 66225

Commerce Bank
P.O. Box 806000
Kansas City, MO 64180-6000

Cornerstone Evironmental and Demolition LLC

Daimer Truck Financial 13650 Heritage Parkway Fort Worth, TX 76177

Discover Card P.O. Box 6103 Carol Stream, IL 60197-6103

Flatiron Capital 950 17th Street Denver, CO 80202

Gateway FS C/o Crowder & Scroggins 121 West Legion Avenue P.O. Box 167 Columbia, IL 62236-0167

Gateway FS 221 E. Pine Street P.O. Box 100 Red Bud, IL 62278-0100

GC Services Limited Partnership P.O. Box 2545 Houston, TX 77252

GE Transportation Finance P.O. Box 822108 Philadelphia, PA 19182-2108

Gibbs Pool and Turner, P.C. 3225 A. Emerald Lane Jefferson City, MO 65109

Global Credit & Collection Corp. P.O. Box 101928, Dept. 2417 Birmingham, AL 35210

Helzberg Card P.O. Box 60107 City Of Industry, CA 91716-0107 Home Depot Processing Center Des Moines, IA 50364-0500

Home Depot Credit Processing Center Des Moines, IA 50364

IL DEPT. OF EMPLOYMENT SECURITY BK Unit 33 S. State St. Chicago, IL 60603

Mathis Marifian Richter & Grandy 23 Public Square, Suite 300 P.O. Box 307 Belleville, IL 62220-0307

Mericap Credit P.O. Box 730547 Dallas, TX 75373

Office Equipment Finance P.O. Box 790448 Saint Louis, MO 63179

Oxford Management Services P.O. Box 1991 Southgate, MI 48195

Progressive Insurance The Progressive Corporation 6300 Wilson Mills Road Cleveland, OH 44143

R & M Oil Supply P.O. Box 62236 Columbia, IL 62236

Sears Gold Mastercard P.O. Box 183082 Columbus, OH 43218 Spaeth Welding, Inc. 321 West Missouri New Baden, IL 62265

Tractor Trailer Supply P.O. Box 796024 Saint Louis, MO 63179-6000