Case 10-13036-JKC-11 Doc 1 Filed 08/27/10 EOD 08/27/10 17:26:58 Pg 1 of 10

B1 (Official Form 1) (4/10)									
United St Southern District					ision			Vol	untary Petition
Name of Debtor (if individual, enter Last, First, Mi Willemsen Dairy LLC	ddle):	,		Name of Jo	oint Debto	or (Spot	ise) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 years (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 EIN (if more than one, state all): 35-2134053	I.D. (ITIN)) No./C	omplete		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):				
Street Address of Debtor (No. & Street, City, State 6615 W 500 N Frankton IN	& Zip Code	e):		Street Add	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):				
Frankton, IN	ZIPCOE	E 460)44-961	9	1 г				ZIPCODE
County of Residence or of the Principal Place of Bu Madison	isiness:			County of	County of Residence or of the Principal Place of Business:				
Mailing Address of Debtor (if different from street	Mailing Address of Debtor (if different from street address)			Mailing A	ldress of	Joint De	ebtor (if differer	nt from str	eet address):
	ZIPCOD	ЭE						Г	ZIPCODE
Location of Principal Assets of Business Debtor (if	different fr	om stre	eet address	s above):					
6615 W 500 N, Frankton, IN								Γ	ZIPCODE 46044-9619
Type of Debtor (Form of Organization)				of Business one box.)				nkruptcy	Code Under Which (Check one box.)
(Form of Organization) (Check one box.) (Check one (Check one box.) Individual (includes Joint Debtors) Single Asset Real Estat See Exhibit D on page 2 of this form. U.S.C. § 101(51B) Corporation (includes LLC and LLP) Railroad Partnership Stockbroker Other (If debtor is not one of the above entities, check this box and state type of entity below.) Clearing Bank ✓ Other Tax-Exemp (Check box, if a Debtor is a tax-exempt Title 26 of the United S			ss state as defined i mpt Entity if applicable.) npt organization ed States Code (t	under	Ch Ch Ch Ch Ch Ch Ch De det § 1 ind per hol	hapter 7 hapter 9 hapter 11 hapter 12 hapter 13 bts, defined in 1 01(8) as "incurn lividual primaril rsonal, family, o d purpose."	Cha Rec Mai Cha Rec Nor Nature of (Check on y consume 1 U.S.C. red by an y for a r house-	pter 15 Petition for cognition of a Foreign in Proceeding apter 15 Petition for cognition of a Foreign main Proceeding Debts e box.)	
Filing Fee (Check one box)			ne box:	Chapter 11 Debtors					
☐ 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.				or is not a small b : or's aggregate no \$2,343,300 (<i>amo</i>	s a small business debtor as defined in 11 U.S.C. § 101(51D). s not a small business debtor as defined in 11 U.S.C. § 101(51D). aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less 343,300 (<i>amount subject to adjustment on 4/01/13 and every three years thereafter</i>).				
only). Must attach signed application for the court's A plan is consideration. See Official Form 3B.			n is being filed w ptances of the pla	pplicable boxes: being filed with this petition aces of the plan were solicited prepetition from one or more classes of creditors, in ce with 11 U.S.C. § 1126(b).					
 Statistical/Administrative Information ✓ Debtor estimates that funds will be available for ☐ Debtor estimates that, after any exempt propert distribution to unsecured creditors. 					id, there v	will be n	o funds availab	le for	THIS SPACE IS FOR COURT USE ONLY
	 000- 000	5,001 10,00		10,001- 25,000	25,001- 50,000		50,001- 100,000	Over 100,000	
	-			550,000,001 to \$100 million	\$100,00 to \$500	,	500,000,001 to \$1 billion	More tha \$1 billior	
Estimated Liabilities	,000,001 to			50,000,001 to		,	500,000,001	More tha	

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B1 (Official Form 1) (4/10)		Page 2		
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Willemsen Dairy LLC			
Prior Bankruptcy Case Filed Within Last 8	Years (If more than two, attach	additional sheet)		
Location Where Filed: None	Case Number:	Date Filed:		
Location Where Filed:	Case Number:	Date Filed:		
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If mor	re than one, attach additional sheet)		
Name of Debtor: None	Case Number:	Date Filed:		
District:	Relationship:	Judge:		
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) 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, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.			
	Signature of Attorney for Debtor(s)	Date		
Exhi Does the debtor own or have possession of any property that poses or is a or safety? Yes, and Exhibit C is attached and made a part of this petition. No Exhi (To be completed by every individual debtor. If a joint petition is filed, ea Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition:	alleged to pose a threat of imminen bit D ach spouse must complete and attac de a part of this petition.			
Exhibit D also completed and signed by the joint debtor is attache	ed a made a part of this petition.			
 Information Regardin (Check any ap Check any ap Preceding the date of this petition or for a longer part of such 180 □ There is a bankruptcy case concerning debtor's affiliate, general p Debtor is a debtor in a foreign proceeding and has its principal place of or has no principal place of business or assets in the United States b in this District, or the interests of the parties will be served in regarding 	pplicable box.) of business, or principal assets in th) days than in any other District. partner, or partnership pending in t ace of business or principal assets i but is a defendant in an action or pro-	this District. in the United States in this District, oceeding [in a federal or state court]		
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 or lessor that obtained judgment)				
(Address of landlord or lessor)				
Debtor claims that under applicable nonbankruptcy law, there are the entire monetary default that gave rise to the judgment for pose	session, after the judgment for pos-	session 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.				

Case 10-13036-JKC-11 Doc 1 Filed 08/27/10 EOD 08/27/10 17:26:58 Pg 3 of 10

Name of Debtor(s): Willemsen Dairy LLC atures
atures
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. X Signature of Foreign Representative Date Date
Signature of Non-Attorney 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); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached. Printed Name and title, if any, of Bankruptcy Petition Preparer Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
Address
X
Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above. Date 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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				EUD 00/21/10 17.20.00	FU40110	
D1	(Official Forma 1) $(1/10)$					Done

B1 (Official Form 1) (4/10)	2//10 EOD 06/2//10 17.20.38 Fg 4 01 10 Page 2		
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Willemsen Dairy LLC		
	atures		
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 State 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	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. X		
Date Signature of Attorney for Debtor(s) Terry E. Hall 22041-49 Baker & Daniels 300 N. Meridian Street, Suite 2700 Indianapolis, IN 46204-1755 (317) 237-0300 Fax: (317) 237-1000	Signature of Non-Attorney 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); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached. Printed Name and title, if any, of Bankruptcy Petition Preparer Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address		
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 Teunits Jan Willemsen Printed Name of Authorized Individual Member Title of Authorized Individual	X		

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

In re:

WILLEMSEN DAIRY, LLC,

Chapter 11

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Case No. 10-

Debtor.

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 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).

NAME OF CREDITOR	AMOUNT OF CLAIM
Likens Farms 8663 W 300 N Anderson, IN 46044	\$ 412,980.03
E Livestock 18740 May Road Botkins, OH 45306	\$ 107,251.11
Cole Warren Farms, LLC 7147 S County Road 130 W Frankfort, IN 46041	\$ 90,000.00
Matthews Feed & Grain 928 S. Massachusetts PO Box 8 Matthews, IN 46957	\$ 52,560.27
DeLaval Direct Distribution 2810 S. Canal Road Lansing, MI 48917	\$ 51,136.05

Manders Equipment LLC 11190 Range Line Rd Weston, OH 43569-9694	\$ 42,826.12
PHI Financial PO Box 1000 Johnston, IA 50131-0184	\$ 35,132.48
Green Earth Ag Service, LLC N 7423 City Hwy A Beaver Dam, WI 53916	\$ 34,730.00
Crop Production Services, Inc. PO Box 98 Charlottesville, IN 46117	\$ 22,666.00
Reynolds Farm Equipment PO Box 218 Fishers, IN 46038	\$ 20,050.78
Alta Genetics USA Inc. 3543 Collection Center Dr Chicago, IL 60693	\$ 19,790.74
Sanimax Marketing, Inc 39379 Treasury Center Chicago, IL 60694	\$ 18,625.80
Barnich Kavanaugh & Cooper, Inc. 220 Water Street Cheboygan, MI 49721-1606	\$ 18,309.90
Nietzke & Faupel 7274 Hartley Street Pigeon, MI 48755	\$ 17,882.89
Belstra Milling PO Box 20012 Demotte, IN 46310-0460	\$ 17,084.67
Harvest Land Co-Op, Inc. PO Box 516 Richmond, IN 47375	\$ 16,898.20

\$	16,072.65
\$	15,740.78
\$	15,486.13
¢	14.060.60
\$	14,969.60
	\$

I, the Manager 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: August 27, 2010

Member, Willemsen Dairy, LLC By: 🤇

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

In re:

WILLEMSEN DAIRY, LLC,

Debtor.

Chapter 11

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Case No. 10-

LIST OF SECURED CREDITORS – CHAPTER 11

(filed only if Schedule D not provided with petition)

	Name, telephone number and complete mailing address of	
	employee, agent, or department of	
Name of creditor and complete mailing address	creditor familiar with claim who may be contacted	Amount of claim/collateral
uuuress	De contacteu	
AgCo Finance	AgCo Finance	to be determined
PO Box 2000	PO Box 2000	
Johnston, IA 50131-0020	Johnston, IA 50131-0020	
Caterpillar Financial Services	Caterpillar Financial Services	to be determined
2120 West End Avenue	2120 West End Avenue	
PO Box 340001	PO Box 340001	
Nashville, TN 37203-0001	Nashville, TN 37203-0001	
	Liter Deserve Constitu	
John Deere Credit	John Deere Credit	to be determined
PO Box 5328	PO Box 5328	
Madison, WI 53705-0328	Madison, WI 53705-0328	
NorthLand Capital Financial Services	NorthLand Capital Financial Services	to be determined
333 33rd Avenue South	333 33rd Avenue South	to be determined
Saint Cloud, MN 56301-5495	Saint Cloud, MN 56301-5495	
Sann Ciouu, 19119 30301-3473	Samt Cloud, 1411 30301-3473	

/s/ Terry E. Hall

Terry E. Hall (#22041-49) Dustin R. DeNeal (#27535-49) 300 North Meridian Street, Suite 2700 Indianapolis, IN 46204 Telephone: (317) 237-0300 Facsimile: (317) 237-1000 terry.hall@bakerd.com dustin.deneal@bakerd.com

Proposed Counsel for the Debtor and Debtor-in-Possession

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

In re:

WILLEMSEN DAIRY, LLC,

Debtor.

Chapter 11 Case No. 10-

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CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for the above-captioned debtor and debtor-in-possession in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

None

Dated: August 27, 2010

/s/ Terry E. Hall

Terry E. Hall (#22041-49) Dustin R. DeNeal (#27535-49) 300 North Meridian Street, Suite 2700 Indianapolis, IN 46204 Telephone: (317) 237-0300 Facsimile: (317) 237-1000 terry.hall@bakerd.com dustin.deneal@bakerd.com Proposed Counsel for the Debtor and Debtor-in-Possession